

CALIFORNIA COASTAL COMMISSION

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APPEAL STAFF REPORT DE NOVO REVIEW

APPEAL NO.:	A-1-HMB-99-051
APPLICANTS:	Wavecrest Village, L.L.C. Cabrillo Unified School District Boys and Girls Club of the Coastside
AGENT:	Patrick Fitzgerald
LOCAL GOVERNMENT:	City of Half Moon Bay
SUBSTANTIAL ISSUE:	The Commission found that the appeal of the local government action on this project raised a substantial issue on November 5, 1999.
PROJECT LOCATION:	Approximately one mile south of downtown Half Moon Bay, bounded by Highway One to the east, Seymour Street right-of-way to the north, the Pacific Ocean to the west, and Marinero Avenue to the south, Half Moon Bay, San Mateo County (Exhibits 1-3).
PROJECT DESCRIPTION:	Re-subdivision of 217 parcels into 90 parcels; construction of 79 single-family residences; a Middle School; a Boys and Girls Club; community sports fields; open space; stormwater detention basin; public access trails and parking; and associated road and infrastructure improvements.
APPELLANTS:	Leonard Beuth, et al; Helen J. Carey; Wayward Lot Investment Co. and San Mateo Land Exchange; and Commissioners Sara Wan and Shirley Dettloff.
SUBSTANTIVE FILE:	See Appendix A

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1.0 EXECUTIVE SUMMARY

Project Description and Location

The proposed development is a large mixed-use project. The staff recommends approval with conditions as summarized below. The project is partly residential, but it also includes a variety of community-serving components.

The project includes:

- ◆ A 79-lot residential subdivision, with construction of single-family detached dwellings,
- ◆ A new middle school for the Half Moon Bay area, with capacity for 1,150-students,
- ◆ A community-serving Boys and Girls Club,
- ◆ A community sports field and community garden,
- ◆ Merger of some 206 lots in an existing antiquated subdivision, resulting in a net decrease of 127 residential lots,
- ◆ Associated road and infrastructure improvements.

Furthermore, the applicants propose to provide public shoreline access improvements, including the construction of a significant segment of Half Moon Bay's Coastside Trail, public parking, and a contribution toward the future construction of a vertical beach accessway. Additional features of the proposed project include the dedication of 77.1 acres of open space, the creation of a 13.8-acre detention pond for the purposes of treating stormwater runoff and agricultural drainage, and the creation of new wetland habitat. The development as proposed will be set back a minimum of 1,000 feet from the bluff edge. (See Exhibit 4).

The project site is located on a prominent site, lying between Highway 1 and the ocean. The project site comprises a 207.5-acre portion of the 480-acre North Wavecrest Planned Development District (PDD) as defined in the City of Half Moon Bay certified Local Coastal Program Land Use Plan (Exhibit 5). Resources on the site include scattered wetlands, wide open vistas from Highway 1 to the sea, and visually prominent tree stands that provide habitat for raptors. Informal paths to the beach are evident on the bluffs to the west of the proposed development area, although physical access to the beach is severely constrained by high, unstable bluffs.

Public Access

The proposed development includes a variety of activity-generating land uses. Additional residents and visitors on the property will place significant increased demands on public beach access in the project vicinity.

Both the Coastal Act and the Half Moon Bay Local Coastal Program require access to be provided to and along the shoreline as a condition of the development of the project site. For instance, LUP Policy 9.3.6(g) requires that as a part of any new development in the Wavecrest District, vertical accessways shall be constructed down the bluff to the beach. Section 30252(6) of the Coastal Act requires that new development maintain and enhance public access to the coast by assuring that the recreational needs of new residents will not overload nearby coastal

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recreational areas by correlating the amount of development with the provision of recreational facilities to serve the new development.

The applicants propose to dedicate and improve a system of public access paths to provide vertical access from Highway 1 to the top of the bluff (but not down to the beach) at the northern boundary of the development. The applicants also propose to provide an unspecified “fair share” contribution towards the future development of a vertical beach accessway, in an unspecified location, with remaining funds to come from future development of the rest of the Wavecrest Planned Development District. Finally, the applicants propose construction of a north-south path that would serve as a link in the City’s Coastside Trail.

Provision of vertical access to the bluff and lateral access through the property, as proposed, is necessary, but not sufficient, to meet the goal of the Coastal Act to maximize public access. Therefore, the staff recommends that in addition to the proposed access improvements, the Commission require the applicants to either construct beach access facilities at the end of Redondo Beach Road on publicly-owned land, including a stairway and/or ramp to the beach and parking, or to provide to the City sufficient funds to complete these improvements (Condition 5).

Visual Impacts

The project site, which slopes downward slightly from Highway 1 to the bluffs, affords broad coastal views of significant tree stands, the sea, and the coastal horizon. Heading north on Highway 1, Pillar Point is visible across the project site. The bay after which the town of Half Moon Bay is named is visible from only a few locations on Highway 1, this site being one of them. Furthermore, this site is one of the few remaining undeveloped areas in the City located seaward of Highway 1.

The proposed development of 79 two-story homes, located as close as 40 feet to Highway 1, would block views of the sea and detract from the scenic qualities of the project site. The proposed development also includes landscaping adjacent to Highway 1 and along the main entry road to the subdivision (Main Street extension) that might further interfere with coastal views. To protect views from Highway 1, the applicants propose to dedicate a view corridor, measuring 90 feet wide, at the intersection of Highway 1 and the Main Street extension.

The project site, which is essentially undeveloped, presents an opportunity to design the development in a manner that will preserve the open space character of the site and protect public views of the coast, while allowing the proposed intensity of land use. Therefore, the staff recommends a condition (Condition 1) that would require the applicants to (1) redesign the homes to be one-story, rather than two-story, and (2) set the homes further back from Highway 1, a sufficient distance to allow views over the development. The staff also recommends clustering of the development, resulting in a broader scenic corridor than that proposed by the applicant. Other recommended conditions require preparation of a Scenic Corridor Plan (Condition 2) and a landscaping plan (Condition 4) designed to maintain the open views currently existing at the site.

Undelineated Wetlands

The wetlands delineation provided by the project applicants does not map all of the wetlands located within the project site. In the southern project area, the applicants propose to defer the

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identification of wetlands until future phases of development of the site. Because little development is proposed at this time in this area, the lack of a final delineation is less significant than it is elsewhere on the property. In the southern area, the staff recommends, however, that several new parcels proposed by the applicant to be created at this time instead be one legal parcel, pending completion of a wetland delineation for the area (Conditions 9.F and 9.G).

For the northern portion of the site, wetland vegetation survey data provided by the applicants supports the delineation of areas that are not currently mapped as wetlands by the applicants. Because construction of various project components is proposed in the northern area, the staff recommends conditions that would result in the provision of additional wetland information. The Boys and Girls Club site does not include potential wetlands, but the same cannot be said of the adjacent area to the south. Therefore, recommended Special Condition 9.B would require the applicants to demonstrate that the development of the Boys and Girls Club site will not encroach within 100 feet of any currently existing wetlands, or alternatively to redesign the Club so as to maintain a 100-foot setback from the property boundary. With respect to other areas of the project, recommended Special Conditions 9.A, and 9.D would also prohibit development within 100 feet of additional wetlands mapped by Commission staff in accordance with vegetation survey data provided by the applicants.

Wetland Fill

The development of the proposed middle school will require filling an agricultural drainage ditch that conveys untreated irrigation and stormwater runoff from Highway 1 across the project site to the sea. The drainage ditch, which runs through the middle of the school site, supports wetland plants and is wet throughout the year and therefore qualifies as a wetland under the LCP. Filling the ditch to accommodate the development will therefore result in approximately 1.1 acres of wetland fill.

The proposed wetland fill, viewed by itself, would be inconsistent with the wetland protection policies of the LCP, even though it exhibits relatively limited habitat values. However, the staff recommends that the Commission approve the wetland fill, by balancing the relatively minor impacts of filling the agricultural drainage ditch with the substantial benefits that can be achieved by, among other things, relocating the drainage, providing on-site infiltration for the runoff, and providing a detention pond for habitat resources. In this way, a result most protective of coastal resources can be achieved, because the water quality and habitat improvements of the project will outweigh the minor habitat loss represented by filling the drainage ditch.

The drainage ditch conveys to the sea agricultural and stormwater runoff from the highway, containing pesticides, fertilizers, oil and grease, and other contaminants. Thus the drainage ditch offers an opportunity to improve water quality in the project area, by incorporating measures into the project to treat runoff instead of merely delivering it to the ocean.

In addition, the applicants propose to treat the offsite agricultural and stormwater runoff along with the stormwater runoff generated on the development site through the creation of a 13.8-acre detention pond. As proposed by the applicants and as further required by recommended conditions (Conditions 12, 13, and 14), the stormwater system and detention pond will be designed, monitored, and maintained to improve the quality of the agricultural drainage and stormwater runoff that is currently discharged from the site to the ocean. Therefore, the project

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will provide substantial benefits to the quality of coastal waters. Only through the implementation of the polluted runoff treatment components of the proposed project will these water quality benefits be provided.

In addition to the water quality benefits that will be provided by the proposed development, the detention pond will provide new wetland habitat. As recommended by staff (Condition 14), the detention pond will be designed and managed to provide emergent wetlands, riparian habitat, and associated upland habitat useful to California red-legged frogs, San Francisco garter snakes, and wetland bird species. But for the proposed development, this wetland habitat would not be created on the project site. This new wetland is expected to provide habitat superior to that provided by the existing drainage ditch.

Furthermore, the Middle School will provide an essential public service that is required under the LCP to serve new development. Avoiding the filling of the agricultural drain by deleting the school from the project would not achieve an essential goal of the project and the community. Alternatively, relocation of the school to avoid filling the ditch would require moving the proposed school structures significantly closer to the Highway, with a resulting adverse impact on visual resources. Therefore, approval of the fill associated with the Middle School is more protective of coastal resources overall than resiting the school or denying the development.

Traffic

Only two regional highways connect Half Moon Bay to the larger Bay Area, and both highways already carry traffic at peak hours on weekdays and Saturdays in excess of their capacity. Although improvements to both highways are proposed by the City of Half Moon Bay, those improvements would be insufficient to assure satisfactory service levels in the future, given projected future growth.

The Local Coastal Programs of Half Moon Bay and San Mateo County predict substantial future residential growth in both jurisdictions, thus contributing to additional congestion on the highways. For instance, the Half Moon Bay LCP predicts that additional housing units in Half Moon Bay will increase over the next twenty years by 100 percent or more (an increase of 4,495 or more units in comparison to the 3,496 units existing in 1992). According to regional predictions contained in the San Mateo County Countywide Transportation Plan Alternatives Report, even with maximum investment in the transportation system, traffic volumes on both highways are predicted to be far in excess of capacity, if residential and commercial development proceeds as projected.

Up to 2,529 vacant residential lots already exist within the City of Half Moon Bay. Creation of new residential lots through subdivisions such as this one could potentially contribute to a long-term worsening of traffic congestion and a consequent limitation on the ability of the general public to reach area beaches and shoreline.

To offset this potential adverse impact, the applicants propose to merge 206 of the 211 existing small lots in the Redondo View Subdivision (Exhibit 6). Taking into consideration the proposed creation of 79 new residential lots, the lot merger will result in a net decrease of 127 residential lots within the project site. This decrease in the number of residential lots will offset the additional traffic generated by the proposed development. Furthermore, the applicant proposes

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traffic mitigations in the form of a traffic signal at the entrance to the project on Highway 1 and a contribution to road improvements elsewhere in Half Moon Bay.

Water Quality

The proposed project will result in a significant increase in impervious surfaces, thus increasing stormwater runoff from the project site. Future irrigation on the site will also increase runoff. Construction activities, vehicles, and other land uses will create the risk of sedimentation and introduction of pollutants into runoff from the site.

The applicants propose to treat urban runoff through a system of gutters and storm drains, feeding into a 13.8-acre detention pond in the western portion of the project. While an important component of water quality measures on the site, the detention pond should be enhanced with active maintenance and monitoring, to ensure future success at accommodating and treating urban runoff. Thus, the staff recommends that the Commission require additional water measures, such as the preparation of a grading plan, an erosion control plan, a stormwater pollution prevention plan, and a water quality monitoring plan (Conditions 10 through 14).

2.0 STAFF RECOMMENDATION

The staff recommends that the Commission approve Coastal Development Permit Application A-1-HMB-99-0-51, subject to conditions, as follows:

MOTION:

I move that the Commission approve Coastal Development Permit No. A-1-HMB-99-051 subject to conditions pursuant to the staff recommendation.

STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION TO APPROVE THE PERMIT:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

2.1 Standard Conditions

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Interpretation. Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

2.2 Special Conditions

1. Residential Subdivision.

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, and in conjunction with Special Condition 9(G), the applicants shall submit, for the review and approval of the Executive Director, a **Revised Vesting Tentative Tract Map** for Parcel K* (Exhibit -- Northern Residential Neighborhood) approved by the City of Half Moon Bay. The Revised Vesting Tentative Tract Map shall meet the following standards:

1. To protect views from Highway 1, no residential parcel lot line shall be located inland of the 74-foot MSL contour line.
2. The residential subdivision located within Parcel K shall be reconfigured in a manner that will cluster the development to align the lots and building envelopes in a configuration designed to maximize the preservation of views from Highway 1 to the bluffs, significant tree stands, open space areas, blue water ocean views and the horizon.
3. The residential subdivision located within Parcel K shall be reconfigured in a manner that ensures that the highest point measured from finished grade of the single-family residences shall not exceed 16 feet and that no portion of any structure located in the residential subdivision shall exceed a height of 90-feet MSL.
4. The residential subdivision located within Parcel K shall be reconfigured in a manner that ensures that no development, including landscaping, within any Scenic Corridor

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identified in the Scenic Corridor Plan approved by the Commission pursuant to Special Condition 2A, shall significantly interfere with views from Highway 1 of significant tree stands, open space bluff areas, the sea, and Pillar Point.

5. There shall be no more than the proposed 79 lots.
 6. The revised tentative map shall also be consistent with all other terms and conditions of A-1-99-51 and shall depict all easement and fee dedication areas consistent with A-1-99-51.
- B.** The applicant shall record the revised map as approved by the Executive Director. The development authorized by A-1-99-51 shall be carried out in strict compliance with the approved Revised Vesting Tentative Tract Map. No changes to the Revised Vesting Tentative Tract Map approved by the Executive Director shall occur without a Commission amendment to this coastal development permit.

2. Scenic Corridors and Offer to Dedicate Easements Over Scenic Corridors.

- A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT,** the applicants shall submit, **for the review and approval of the Commission,** a Scenic Corridor Plan to protect all corridors that currently provide views from Highway 1 of significant tree stands, open space bluff areas, the sea, and Pillar Point. The plan shall demonstrate that no development, including landscaping, within any Scenic Corridor identified in the Scenic Corridor Plan approved by the Commission pursuant to Special Condition 2A, shall significantly interfere with views from Highway 1 of significant tree stands, open space bluff areas, the sea, and Pillar Point. The evidence submitted with the plan to demonstrate that development does not significantly interfere with views from Highway shall include the use of story poles.
- B. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT,** the applicants shall submit, for the review and approval of the Executive Director, written evidence that irrevocable offers to dedicate Scenic Corridor Easement(s) have been executed and recorded in perpetuity over all corridors identified in the Scenic Corridor Plan approved by the Commission pursuant to Special Condition 2A.
- C.** The recorded document shall include legal descriptions of the applicant's entire parcel and the easement areas. The recorded document shall also reflect that development in the easement areas is restricted as set forth in this permit condition.
- D.** The offers shall be recorded free of prior liens and encumbrances which the executive director determines may affect the interest being conveyed. The offers shall run with the land in favor of the people of the State of California, binding all successors and assignees, and shall be irrevocable for a period of 21 years, such period running from the date of recording.

3. Tree Protection Plan.

- A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicants shall provide, for the review and approval of the Executive Director, a **Tree Protection Plan** showing each tree proposed to be removed as part of the approved development. The plan shall be designed to retain the maximum number of existing trees on the site. The plan shall include an assessment prepared by a qualified arborist or wildlife biologist of the habitat value of each tree proposed to be removed. Removal of trees providing potential raptor habitat shall be avoided to the maximum extent feasible.
- B.** The permittee shall undertake development in accordance with the final plans approved by the Executive Director. No proposed changes to the final plans approved by the Executive Director shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

4. Landscaping Plan.

- A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicants shall submit, for the review and approval of the Executive Director, a **Final Landscaping Plan** for all open space and common areas on the entire project site. The landscaping plan shall be designed to maintain open views to the coast and the bluffs seaward of the developed areas, and shall maximize use of drought tolerant native species. Planting of invasive exotic species is prohibited throughout the development site.
- B. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall execute and record a deed restriction over the project site, in a form and content acceptable to the Executive Director, reflecting the above restrictions on development. The deed restriction shall include legal descriptions of the applicant's entire parcel(s). The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

5. Vertical Beach Accessway.

- A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall provide, for the review and approval of the Executive Director, a **Beach Access Plan** for the design and construction of a public beach accessway at the end of Redondo Beach Road including:
1. A stairway, ramp or combination of stairs and ramps to the beach;

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2. Public beach access signage at the intersection of Redondo Beach Road and Highway 1;
3. Improvement of the unpaved western portion of Redondo Beach Road including roadbed improvements, drainage, and resurfacing with either gravel or pavement; and
4. Paving and other improvements to the existing parking lot at the end of Redondo Beach Road to provide 50 public access parking spaces.
5. Evidence that the County agrees to the construction of the access improvements on the County owned land.

B. PRIOR TO COMMENCEMENT OF CONSTRUCTION of any residential unit authorized by A-1-99-55, the applicants shall either:

1. Complete the construction of the beach access improvements including signage in accordance with the approved plan; or
2. Provide to the City of Half Moon Bay, in accordance with a letter of agreement between the Executive Director, the City and the applicants, sufficient funds to complete the beach access improvements at the end of Redondo Beach Road in accordance with the approved plan.

6. Coastside Trail and Evidence of Easement Dedication.

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, and consistent with the terms of the proposed project description, the applicants shall submit, for the review and approval of the Executive Director, written evidence that a public access easement for the Coastside Trail has been dedicated in perpetuity to the City of Half Moon Bay. The easement shall consist of a 15-foot-wide public access easement for the Coastside Trail, as shown in the Project Description Public Access Plan and generally depicted in Exhibit 8, and as further described as follows:

1. The northerly Coastside Trail segment shall be aligned to meet the accessway bridge across the County drainage channel, at the northerly boundary of Parcel I.
2. The blufftop Coastside Trail segment shall maintain a 100-foot setback from the edge of the top of bluff. A connecting trail link to the public bluff top vista point near the southwesterly corner of Parcel I may be permitted to be located within the 100-foot bluff edge setback area.
3. The east-west Coastside Trail shall follow the alignment along the south side of the vegetated pond on Parcel I, as shown on Wavecrest Village Phase 1-A Vesting Tentative Map Sheet 2 (dated 08/03/00).

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4. The north-south Coastside Trail segment between Parcel I and Wavecrest Road (near the boundary of Parcels F and G, as shown in Tab 24 of the Project Description, August 4, 2000) shall be located outside any delineated wetland, but may be located in the outer 25-foot-wide band of the wetland.
- B.** The recorded document shall include legal descriptions of the applicant's entire parcel and the easement area. The document shall be recorded free of prior liens and any other encumbrances which the Executive Director determines may affect the interest being conveyed. The recorded document shall also reflect that development in the easement area is restricted as set forth in this permit condition.
- C. PRIOR TO COMMENCEMENT OF CONSTRUCTION** of any residential unit authorized by A-1-99-51, the applicants shall complete construction of a 10-foot-wide, all-weather surface pathway within the Coastside Trail easement, open the trail to the public, and install public access signage as specified in Special Condition 8 below.

7. Public Access Signage.

- A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicants shall submit, for the review and approval of the Executive Director, a **Public Access Signage Plan** that includes written evidence of Caltrans approval of any encroachment permit(s) required for signs proposed to be located within the Highway 1 right-of-way. The signage plan shall be designed to direct the public to the Coastside Trail and the Redondo Beach Accessway with appropriately sized signs to be installed at the following locations:
1. In or adjacent to the Highway 1 right-of-way north and south at appropriate locations to indicate the public accessways at the Main Street extension (Smith Parkway), Wavecrest Road, and Redondo Beach Road;
 2. In or adjacent to the intersections of the Main Street extension and Streets C/D, and of Wavecrest Road and Street C;
 3. In or adjacent to the Coastside Trail bridge over the County drainage channel, north of Parcel I, at the southerly terminus of the Coastside Trail on Parcel I; and
 4. At all Coastside Trail heads.
- B. PRIOR TO COMMENCEMENT OF CONSTRUCTION** of any residential unit authorized by A-1-99-51, the applicants shall complete the installation of all public access signage indicated in the approved signage plan. The signs shall be maintained by applicant for the life of the development authorized by A-1-99-51. No changes to the signage plan approved by the Executive Director shall occur without a Commission amendment to this permit unless the executive director determines no amendment is required.

8. Evidence of Open Space Fee Title and Easement Dedications.

A. Open Space Fee Title Dedications

1. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicants shall submit, for the review and approval of the Executive Director, written evidence that dedication of fee title to Parcel B (Exhibit 9 -- Riparian Preserve), Parcel F (Exhibit 10 -- City Sports Fields), and Parcel I (Exhibit 11 -- Blufftop, partial Bluff Face, Community Garden, and View Corridor Open Space Parcel) has been dedicated to the City of Half Moon Bay in perpetuity for open space and conservation purposes.
2. No development, as defined in section 30106 of the Coastal Act shall occur in any of the fee title dedication areas identified in A.1 above except for:
 - a. Vegetation removal for fire management in accordance with a written weed abatement order from the Half Moon Bay Fire District and any coastal development permit required by the City of Half Moon Bay.
 - b. Removal of non-native vegetation, and/or other measures specifically authorized in accordance with the approved Wetlands Protection Plan.
 - c. Development and maintenance of detention pond on Parcel I consistent with Special Condition 14.
 - d. Landscaping undertaken consistent with the approved Final Landscaping Plan or the Wetlands Protection Plan.
 - e. Routine maintenance of the Sports Fields.

AND

3. The following development, if approved by a coastal development permit:
 - a. *Minor construction associated with the Sports Fields and the Community Garden.*
4. The recorded document shall include legal descriptions of the applicant's entire parcel and the fee title dedication areas. The document shall be recorded free of prior liens and any other encumbrances which the Executive Director determines may affect the interest being conveyed. The recorded document shall also reflect that development in the fee title dedication areas is restricted as set forth in this permit condition.

B. Open Space Easement Dedications

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1. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, and consistent with the terms of the proposed project description, the applicants shall submit, for the review and approval of the Executive Director, written evidence that easements have been dedicated to the City of Half Moon Bay in perpetuity for open space and conservation purposes, over the following geographical areas:
 - a. Parcel L (Exhibit 12 -- landscape corridor along Highway 1 north of the Main Street extension and along the north side of the Main Street extension, between Highway 1 and the intersection with Streets C/D);
 - b. The Main Street extension (Exhibit 5); and
 - c. The neighborhood park located in Parcel K (Exhibit 7).
 2. No development, as defined in section 30106 of the Coastal Act shall occur in any of the easement dedication areas identified in B1 above except for:
 - a. Vegetation removal for fire management in accordance with a written weed abatement order from the Half Moon Bay Fire District and any coastal development permit required by the City of Half Moon Bay.
 - b. Landscaping undertaken consistent with the approved Final Landscaping Plan or the Wetlands Protection Plan.
 - c. Grading, paving, installation of drainage and utilities, and other improvements associated with the development of the Main Street extension.
- AND
3. The following development, if approved by the Coastal Commission as an amendment to this coastal development permit:
 - a. Minor construction related to the development of the Neighborhood Park.

9. Wetlands Protection.

A. Parcels F, G, I, J

1. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicants shall submit, for the review and approval of the Executive Director, a **Wetlands Protection Plan**. The plan shall provide for the protection of all of the wetlands that satisfy the definition of wetlands under the certified LCP that are located on Parcels F, G, I, and J, as identified in the Technical Review, Vegetation Study of Wavecrest Village, City of Half Moon Bay, dated July 18, 2000, and that are generally depicted on Exhibit 13, as well as the detention pond to be constructed on

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Parcel I. The plan shall also establish a minimum 100-foot-wide buffer surrounding each of the wetlands shown. The buffer areas shall be planted with dense native shrub species designed to minimize intrusion by domestic animals and humans.

2. No development, as defined in section 30106 of the Coastal Act, shall occur in any of the wetland or buffer areas identified in the Wetland Protection Plan approved by the Executive Director pursuant to Special Condition 9A1 except for:
 - a. Temporary construction fencing installed around the perimeter of all wetland buffer zones identified in the approved Wetlands Protection Plan.
 - b. Maintenance of the detention pond in accordance with Special Condition 14.
3. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall execute and record a deed restriction in a form and content acceptable to the Executive Director, over all wetland and buffer areas identified in the Wetland Protection Plan approved by the Executive Director pursuant to Special Condition 9A1, reflecting the above restrictions on development in the identified areas. The deed restriction shall include legal descriptions of both the applicant's entire parcel and the identified areas. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

B. Parcel E

1. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicants shall submit either:
 - a. For Commission review and approval, a wetlands delineation depicting any wetlands on Parcel E that satisfy the definition of wetlands under the certified LCP that are currently located within 100 feet of the southern boundary of Parcel E (Exhibit 14-- Boys and Girls Club); **and**
 - b. If the wetlands delineation required by B.1.(a) above reflects wetlands within 100 feet of the southern boundary of Parcel E, a revised site plan showing that no development on Parcel E (Exhibit 14 -- Boys and Girls Club) shall occur within 100 feet of any wetlands that satisfy the definition of wetlands under the certified LCP shall be submitted for Commission review and approval; **or**
 - c. For the Executive Director's review and approval, a revised site plan showing that no development other than the uses allowed within wetland buffers pursuant to Zoning Code Section 18.38.080 shall occur within 100 feet of the southern property boundary of Parcel E.

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2. Landscaping adjacent to the southern boundary of Parcel E shall consist of dense native shrub species designed to minimize intrusion by domestic animals and humans.

C. PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION OR OTHER GRADING, grading for the detention pond shall be completed and each of the wetland buffer areas, including the detention pond shall be planted in accordance with the approved Wetlands Protection Plan.

D. No development shall occur within 100 feet of the former agricultural pond.

E. PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION OR GRADING, temporary construction fencing shall be installed around the perimeter of all wetland buffer zones depicted on the approved Wetlands Protection Plan. The fencing shall be maintained on site until completion of all grading and construction.

F. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, and in conjunction with Special Condition 1, the applicants shall submit, for the review and approval of the Executive Director, a **Revised Vesting Tentative Tract Map**, approved by the City of Half Moon Bay, for the Southern Residential Neighborhood identified on Exhibit 15. The Revised Vesting Tentative Tract Map shall meet the following standards:

1. Proposed Parcels A, C, D, and Street A shall be 1 (one) legal parcel.
2. The Revised Vesting Tentative Tract Map shall contain a note that future subdivision of the 1 resulting legal parcel required by Special Condition F.1 shall be prohibited until after a wetlands delineation has been completed for this area in accordance with the certified LCP wetlands definition and a coastal development permit to subdivide the 1 resulting legal parcel required by Special Condition F.1 has been obtained.
3. The revised tentative map shall also be consistent with all other terms and conditions of A-1-99-51 and shall depict all easement and fee dedication areas consistent with A-1-99-51.
4. The applicant shall record the revised map as approved by the Executive Director. The development authorized by A-1-99-51 shall be carried out in strict compliance with the approved Revised Vesting Tentative Tract Map. No changes to the Revised Vesting Tentative Tract Map approved by the Executive Director shall occur without a Commission amendment to this coastal development permit.

G. Future subdivision of the 1 resulting legal parcel combining proposed Parcels A, C, D and Street A pursuant to subsection F above shall be prohibited until such time that a wetlands delineation has been completed for this area in accordance with the LCP

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wetlands definition and a coastal development permit to subdivide the 1 resulting legal parcel required in subsection H has been obtained.

10. Grading Plan.

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit, for the review and approval of the Executive Director, a **Final Grading Plan** specifying:

1. The respective quantities of cut and fill and the final design grades and locations for all building foundations, streets, public accessways, the detention pond, and drainage pipes; and
2. The phasing of all grading during construction consistent with all terms and conditions of A-1-99-51.

B. Grading shall be conducted in strict conformity with the approved Grading Plan, Erosion Control Plan, SWPPP, and Wetlands Protection Plan. No proposed changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

11. Erosion Control.

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall provide, for the review and approval of the Executive Director, an **Erosion Control Plan** to reduce erosion and, to the maximum extent practicable, retain sediment on-site during and after construction. The plan shall be designed to minimize the potential sources of sediment, control the amount of runoff and its ability to carry sediment by diverting incoming flows and impeding internally generated flows, and retain sediment that is picked up on the project site through the use of sediment-capturing devices. The plan shall also limit application, generation, and migration of toxic substances, ensure the proper storage and disposal of toxic materials, apply nutrients at rates necessary to establish and maintain vegetation without causing significant nutrient runoff to surface waters. The **Erosion Control Plan** shall incorporate the Best Management Practices (BMPs) specified below.

1. Erosion & Sediment Source Control

- a. Sequence construction to install **sediment-capturing devices** first, followed by runoff control measures and runoff conveyances. Land clearing activities should only commence after the minimization and capture elements are in place.
- b. Time the clearing and grading activities to avoid the rainy season (October 15 through April 30).
- c. Minimize the area of bare soil exposed at one time (phased grading).

- d. Clear only areas essential for construction.
- e. Within five days of clearing or inactivity in construction, stabilize bare soils through either nonvegetative BMPs, such as mulching or vegetative erosion control methods such as seeding. Vegetative erosion control shall be established within two weeks of seeding/planting.
- f. Construction entrances should be stabilized immediately after grading and frequently maintained to prevent erosion and control dust.
- g. Control wind-born dust through the installation of wind barriers such as hay bales and/or sprinkling.
- h. Soil and/or other construction-related material stockpiled on site shall be placed a minimum of 200 feet from any wetlands or drainages. Stockpiled soils shall be covered with tarps at all times of the year.
- i. Excess fill shall not be disposed of in the Coastal Zone unless authorized through either an amendment to this coastal development permit or a new coastal development permit.

2. Runoff Control and Conveyance

- a. Intercept runoff above disturbed slopes and convey it to a permanent channel or stormdrains by using earth dikes, perimeter dikes or swales, or diversions. Use check dams where appropriate.
- b. Provide protection for runoff conveyance outlets by reducing flow velocity and dissipating flow energy.

3. Sediment-Capturing Devices

- a. Install stormdrain inlet protection that traps sediment before it enters the storm sewer system. This barrier could consist of filter fabric, straw bales, gravel, or sand bags.
- b. Install sediment traps/basins at outlets of diversions, channels, slope drains, or other runoff conveyances that discharge sediment-laden water. Sediment traps/basins shall be cleaned out when 50% full (by volume).
- c. Construction of the detention pond/constructed wetlands, as further described in Special Condition 14 shall be completed during the first phase of project grading. Sediments collected in the detention pond during project construction shall be removed prior to occupancy of the residential neighborhood.
- d. Use silt fence and/or vegetated filter strips to trap sediment contained in sheet flow. The maximum drainage area to the fence should be 0.5 acre or less per 100 feet of fence. Silt fences should be inspected regularly and sediment removed when it reaches 1/3 the fence height. Vegetated filter strips should have relatively flat slopes and be vegetated with erosion-resistant species.

4. Chemical Control

- a. Store, handle, apply, and dispose of pesticides, petroleum products, and other construction materials properly.
- b. Establish fuel and vehicle maintenance staging areas located away from all drainage courses, and design these areas to control runoff.
- c. Develop and implement spill prevention and control measures.
- d. Provide sanitary facilities for construction workers.
- e. Maintain and wash equipment and machinery in confined areas specifically designed to control runoff. Thinners or solvents should not be discharged into sanitary or storm sewer systems. Washout from concrete trucks should be disposed of at a location not subject to runoff and more than 50 feet away from a stormdrain, open ditch or surface water.
- f. Provide adequate disposal facilities for solid waste, including excess asphalt, produced during construction.
- g. Develop and implement nutrient management measures. Properly time applications, and work fertilizers and liming materials into the soil to depths of 4 to 6 inches. Reduce the amount of nutrients applied by conducting soil tests to determine site nutrient needs.

B. Erosion Control Monitoring and Maintenance.

1. Throughout the construction period, the applicants shall conduct regular inspections of the condition and operational status of all structural BMPs provided in satisfaction of the approved Erosion Control Plan. The applicant shall report the results of the inspections in writing to the Executive Director prior to the start of the rainy season (no later than October 15th), after the first storm of the rainy season, and monthly thereafter until April 30th for the duration of the project construction period. Major observations to be made during inspections and reported shall include: locations of discharges of sediment or other pollutants from the site; BMPs that are in need of maintenance; BMPs that are not performing, failing to operate, or inadequate; and locations where additional BMPs are needed.
2. Authorized representatives of the Coastal Commission and/or the City of Half Moon Bay shall be allowed property entry as needed to conduct on-site inspections throughout the construction period.
3. All BMP traps/separators and/or filters shall be cleaned at minimum prior to the onset of the storm season and no later than October 15th each year.
4. Sediment traps/basins shall be cleaned out at any time when 50% full (by volume).
5. Sediment shall be removed from silt fences at any time when it reaches 1/3 the fence height.

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6. All pollutants contained in BMP devices shall be contained and disposed of in an appropriate manner.
 7. Non-routine maintenance activities that are expensive but infrequent, such as detention basin dredging, shall be performed on as needed based on the results of the monitoring inspections described above.
- C.** The applicant shall be fully responsible for advising construction personnel of the requirements of the Erosion Control Plan and the Wetlands Protection Plan.
- D.** The permittee shall undertake development in accordance with the final erosion control plans approved by the Executive Director. No proposed changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

12. Stormwater Pollution Prevention.

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and approval of the Executive Director, a **Stormwater Pollution Prevention Plan (SWPPP)**. The SWPPP shall demonstrate that the approved development shall maintain post-development peak runoff rate and average volume at levels that are similar to pre-development levels, and reduce the post-development loadings of Total Suspended Solids (TSS) so that the average annual TSS loadings are no greater than pre-development loadings. The SWPPP shall incorporate the Best Management Practices (BMPs) described below.

1. Minimize Creation of Impervious Surfaces

- a. Design residential streets for the minimum required pavement widths needed to comply with all zoning and applicable ordinances to support travel lanes, on-street parking, emergency, maintenance and service vehicle access, sidewalks, and vegetated open channels.
- b. Minimize the number of residential street cul-de-sacs and incorporate landscaped areas to reduce their impervious cover. The radius of cul-de-sacs should be the minimum required to accommodate emergency and vehicle turnarounds. Alternative turnarounds shall be employed where allowable.
- c. Avoid curb and gutter along driveways and streets where appropriate.
- d. Incorporate landscaping with vegetation or other permeable ground cover in setback areas between sidewalks and streets.
- e. Use alternative porous material/pavers (e.g., hybrid lots, parking groves, permeable overflow parking, crushed gravel, mulch, cobbles) to the extent practicable for sidewalks, driveways, parking lots, or interior roadway surfaces.

- f. Reduce driveway lengths, and grade and construct driveways to direct runoff into adjacent landscaped areas.
- g. Direct rooftop runoff to permeable areas rather than driveways or impervious surfaces in order to facilitate infiltration and reduce the amount of stormwater leaving the site.

2. Roads and Parking Lots

- a. Install vegetative filter strips or catch basin inserts with other media filter devices, clarifiers, grassy swales and berms, or a combination thereof to remove or mitigating oil, grease, hydrocarbons, heavy metals and particulates from stormwater draining from all roads and parking lots.
- b. Roads and parking lots should be vacuum swept monthly at a minimum, to remove debris and contaminant residue.

3. Landscaping

- a. Native or drought tolerant adapted vegetation should be selected, in order to minimize the need for fertilizer, pesticides/herbicides, and excessive irrigation.
- b. Where irrigation is necessary, the system must be designed with efficient technology. At a minimum, all irrigation systems shall have flow sensors and master valves installed on the mainline pipe to ensure system shutdown in the case of pipe breakage. Irrigation master systems shall have an automatic irrigation controller to ensure efficient water distribution. Automatic irrigation controllers shall be easily adjustable so that site watering will be appropriate for daily site weather conditions. Automatic irrigation controllers shall have rain shutoff devices in order to prevent unnecessary operation on rainy days.

B. Stormwater Pollution Prevention Maintenance and Monitoring.

- 1. The applicant shall conduct an annual inspection of the condition and operational status of all structural BMPs provided in satisfaction of the approved SWPPP including the detention basin. The results of each annual inspection shall be reported to the Executive Director in writing by no later than June 30th of each year for the following the commencement of construction. Major observations to be made during inspections and reported shall include: locations of discharges of sediment or other pollutants from the site; BMPs that are in need of maintenance; BMPs that are not performing, failing to operate, or inadequate; and locations where additional BMPs are needed. Authorized representatives of the Coastal Commission and/or the City of Half Moon Bay shall be allowed property entry as needed to conduct on-site inspections of the detention basin and other structural BMPs.

2. All BMP traps/separators and/or filters shall be cleaned prior to the onset of the storm season and no later than October 15th each year. All pollutants contained in BMP devices shall be contained and disposed of in an appropriate manner.
3. Non-routine maintenance activities that are expensive but infrequent, such as detention basin dredging, shall be performed on as needed based on the results of the monitoring inspections described above.

C. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall execute and record a deed restriction over the project site, in a form and content acceptable to the Executive Director, reflecting the above restrictions on development. The deed restriction shall include legal descriptions of the applicant's entire parcel(s). The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

13. Water Quality Monitoring.

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and approval of the Executive Director a **Water Quality Monitoring Plan (WQMP)**. The WQMP shall be designed to evaluate the effectiveness of the SWPPP to protect the quality of surface and groundwater and shall provide the following:

1. The WQMP shall specify sampling locations appropriate to evaluate surface and groundwater quality throughout the project site, including, but not limited to the detention pond outlet, sports fields, community garden, and major storm drains.
2. The WQMP shall specify sampling protocols and permitted standards for all identified potential pollutants including, but not necessarily limited to: heavy metals, pesticides, herbicides, suspended solids, nutrients, oil, and grease.

B. Beginning with the start of the first rainy season (October 15 - April 30) following commencement of development and continuing until three years following completion of all grading, landscaping and other earth disturbing work, surface water samples shall be collected from the detention pond outlet during the first significant storm event of the rainy season and each following month through April 30. Sampling shall continue thereafter in perpetuity on an annual basis during the first significant storm event of the rainy season.

C. If an exceedance of any water quality standards specified in the WQMP occurs, the applicant shall conduct an assessment of the potential sources of the pollutant and the potential remedies. If it is determined based on this assessment that applicable water

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quality standards have not been met as a result of inadequate or failed BMPs, corrective actions or remedies shall be required.

- D.** If potential remedies or corrective action constitute development, as defined in Section 30106 of the Coastal Act, an amendment to this permit shall be required.
- E.** Results of monitoring efforts shall be submitted to the Commission upon availability.
- F. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall execute and record a deed restriction over the project site, in a form and content acceptable to the Executive Director, reflecting the above restrictions on development. The deed restriction shall include legal descriptions of the applicant's entire parcel(s). The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

14. Detention Pond.

- A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall provide, **for the review and approval of the Commission**, after consultation with the USFWS and the Department of Fish and Game, a plan for the design, construction, maintenance and monitoring of the proposed detention pond on Parcel I to:
 - 1. Provide wetland habitat suitable for use by California red-legged frogs.
 - 2. Provide habitat suitable for use by San Francisco garter snakes.
 - 3. Provide habitat suitable for use by wetland bird species.
 - 4. Provide emergent wetlands, riparian habitat, and associated upland.
 - 5. Provide a minimum 100-foot buffer around the perimeter of the detention basin vegetated with a mixture of dense native riparian and upland shrubs and low trees typical of natural coastal bluff terrace, riparian, and wetland communities in this region.
 - 6. Improve water quality through removal of fine sediments, phosphorous, and nitrogen.
 - 7. Provide for regular maintenance of the detention basin in perpetuity, including sediment removal and mowing to maintain the water quality treatment and habitat functions.

8. Provide a permanent funding source for the long-term maintenance of the detention basin.
9. Ensure the detention basin shall be sized appropriately to treat 100% of the agricultural drainage conveyed through the development site and, consistent with the terms of the proposed project description, the runoff generated from up to and including the 1.2-inch, 24-hour rainfall event.

B. PRIOR TO COMMENCEMENT OF CONSTRUCTION of any residential unit authorized by A-1-99-51, the applicant shall construct the detention pond in accordance with the plan approved by Commission. No changes to the detention pond plan approved by the Commission shall occur without a Commission amendment to this coastal development permit.

C. No development, as defined in section 30106 of the Coastal Act shall occur in the detention pond except for maintenance in accordance with 14.A.7 above.

D. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, and after the Commission has approved the plan for the detention pond required by Special Condition 14A, the applicant shall execute and record a deed restriction in a form and content acceptable to the Executive Director, over the entire project site, reflecting all restrictions on development in the detention pond. The deed restriction shall include legal descriptions of both the applicant's entire parcel and the detention pond. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

15. Caltrans Approval.

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall provide, for the review and approval of the Executive Director, written evidence of Caltrans final approval of any encroachment permit(s) required for construction proposed within the Highway 1 right-of-way.

- * The Reference to all parcels, lots, easements, and streets addressed in the Special Conditions above are those generally depicted on the Wavecrest Village Phase 1-A Vesting Tentative Map, dated August 3, 2000, (Exhibit 4).

3.0 PROJECT SETTING AND DESCRIPTION

[NOTE: The full text of the LCP, Coastal Act and other policies and regulations referenced herein are attached as Appendix B of this report.]

3.1 Standard of Review

The Wavecrest Village Project is located within the City of Half Moon Bay in the California coastal zone. Section 30604(b) states that after certification of a local coastal program, a coastal development permit shall be issued if the issuing agency or the Commission on appeal finds that the proposed development is in conformity with the certified local coastal program. The standard of review for this project is therefore the certified Local Coastal Program (LCP) of the City. Pursuant to Section 30604(c) of the Coastal Act, the public access and recreation policies of the Coastal Act (Sections 30210 through 30224) are also the standard of review because the project is located between the first public road and the ocean.

Pursuant to Policy 1-1 of the City's certified Land Use Plan (LUP), the City has adopted the coastal planning and management policies of the Coastal Act (Sections 30210 through 30264) as the guiding policies of the LUP. Policy 1-4 of the City's LUP states that prior to issuance of any development permit, the [Commission] shall make the finding that the development meets the standards set forth in all applicable LUP policies. Thus, the LUP incorporates the Chapter 3 policies of the Coastal Act. These policies are therefore included in the standard of review for the proposed project.

The project site is located within the Planned Development District (PDD) designated in the City's LUP as the Wavecrest PDD. Section 9.3.6 of the LUP specifically addresses the development of the Wavecrest PDD, and includes Proposed Development Conditions for the development. Section 18.37.020.C of the City's Zoning Code states in relevant part:

New development within Planned Development Areas shall be subject to development conditions as stated in the Local Coastal Program Land Use Plan for each Planned Development...

Therefore, Proposed Development Conditions (a) through (r) contained in LUP Section 9.3.6 are included in the standard of review for this proposed project and are hereinafter referred to as LUP Policies 9.3.6(a) through 9.3.6(r).

3.2 Background

Appeal

On July 6, 1999, the City of Half Moon Bay approved a Specific Plan Development Agreement and associated coastal development permits (CDPs) for development of the 207.5 acre North Wavecrest Village area. The City's specific actions are listed in *Wavecrest Village Specific Plan, 1996* below.

Pursuant to Coastal Act Section 30603, an action taken by the City on a CDP application is appealable to the Coastal Commission for developments between the sea and the first public road paralleling the sea, and for developments located within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff. Leonard Beuth, et al.; Helen J. Carey; Wayward Lot Investment Co. and San Mateo Land Exchange; and Commissioners Sara Wan and Shirley Dettloff appealed the City's approvals to the Commission within the Commission's appeal period. The appellants alleged that the project raised issues with the certified Local Coastal Program and the public access policies of the Coastal Act. Specifically, the appellants' contentions concerned the project's inconsistencies with policies

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regarding protection of sensitive habitats, provision of public access, protection of visual resources, new development and the availability of public services contained in the LCP, and inconsistencies with several Coastal Act policies cited in the City's LCP.

The Commission consolidated the separate permit approvals and heard the appeal on November 5, 1999. (The October 20, 1999 Adopted Findings staff report is contained in the administrative record.) The Commission found that the appeals raised a substantial issue regarding the conformance with the policies of the certified Local Coastal Program and the public access policies of the Coastal Act. As a result of the appeal and finding of substantial issue, the City's approvals of the CDPs have been stayed and are not effective. The Commission must now consider the entire application *de novo* (PRC §§ 30603, 30621, and 30625, 14 CCR § 13115).

3.3 Project Location

The Wavecrest Village Project is located entirely within the City of Half Moon Bay, approximately one mile south of downtown, at the intersection of Highway 1 and Main Street (Exhibit 3). The 207.5-acre site is bounded by Highway 1 to the east, the Seymour Street right-of-way to the north, the Pacific Ocean to the west, and Marinero Avenue to the south. Automobile access to the site is currently from Highway 1 via Wavecrest Road.

The surrounding land uses include passive open space, open space reserve, planned development, exclusive floriculture, visitor-serving commercial, and single-family residential areas. Passive open space exists to the north of the project site along the bluff. The West of Railroad Avenue PDD and Arleta Park, a residential neighborhood, is located to the north. A church is located on the adjacent mostly vacant parcel at the intersection of Highway 1 and the Seymour Street right-of-way.

To the east of Highway 1 and east of the project site are commercial general development, planned development, and open space reserve. An automobile dealership is located at the intersection of Main Street and the Seymour Street right-of-way. Commercial greenhouses exist adjacent to the project area's southeastern boundary, between Wavecrest Road and Redondo Beach Road. A church, daycare center, horse riding stable, and restaurant are also located in this area.

Ocean Colony, a private residential community, is located to the south of the Wavecrest Village Plan area.

The project area's western boundary abuts the Pacific Ocean. Approximately one-third of the blufftop is in the project area. The blufftop area south of the project area consists mostly of undeveloped gently sloping coastal bluff terrace. A model airplane runway and informal trails exist in this area.

Wavecrest Planned Development District (PDD)

The 207.5-acre Wavecrest Village Project is located within the 620-acre area designated in the LCP as the Wavecrest Restoration Project Planned Development District (PDD). The Wavecrest PDD consists of two project areas: the North Wavecrest Area (about 480 acres north of the Ocean Colony development) and the South Wavecrest Area (approximately 140 acres south of the Ocean Colony development). The Wavecrest Village Project is in the North Wavecrest Area, occupying the northern and central portion of the PDD (Exhibit 5).

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The LUP designates seventeen areas of the City as PDDs. As defined in the LUP, a “Planned Development District” refers to:

... generally large, undeveloped parcels and areas suitable for residential use, with possible inclusion of neighborhood recreation facilities, commercial recreation, and office/industrial. The purpose of this designation is to prevent piecemeal development and to replan old subdivisions by requiring that the entire area or parcel be planned as a unit and be developed in accordance with such a plan. Use of flexible and innovative design concepts is encouraged. Refer to Section 9.3.2 for detailed requirements and permitted uses.

Zoning Code Section 18.15.015 supports the Planned Development District designation by zoning these areas as Planned Unit Development Districts (PDD) in the City’s Implementation Plan and Zoning Map.

Section 9.3.2 explains the intent of the Planned Development District designation:

The purpose of the Planned Development designation is to ensure well-planned development of large, undeveloped areas planned for residential use in accordance with concentration of development policies. It is the intent of this designation to allow for flexibility and innovative design of residential development, to preserve important resource values of particular sites, to ensure achievement of coastal access objectives, to eliminate poorly platted and unimproved subdivisions whose development would adversely affect coastal resources, and to encourage provision for low and moderate income housing needs when feasible. It is also the intent of the Planned Development designation to require clustering of structures to provide open space and recreation, both for residents and the public. In some cases, commercial development such as convenience stores or visitor-serving facilities may be incorporated into the design of a Planned Development in order to reduce local traffic on coastal access roads or to meet visitor needs.

Section 9.3.6 of the LUP discusses the goals of planned development specific to the Wavecrest PDD (referred to as the Wavecrest Restoration Project) and the opportunities and constraints of the North and South Wavecrest Project Areas, and imposes 18 development conditions on the PDD. These conditions were adopted as LUP policies solely pertaining to development in the Wavecrest PDD.

The PDD is intended to achieve five goals: the consolidation and replatting of about 1,400 substandard lots in paper subdivisions; provision of public access to the coast; restoration and protection of riparian corridors and bluffs; establishment of a stable Urban/Rural Boundary to preserve the potential for agricultural use of vacant and idle land south of the City; and generation of funds to protect lands with agricultural potential located outside of the project area.

Projects in the Wavecrest Planned Development District

Wavecrest Restoration Project, 1981

The Wavecrest Restoration Project is one of seventeen areas designated for Planned Development in the City’s LUP. The California Coastal Conservancy sponsored this project, which was approved by the Conservancy, the Coastal Commission, and the City in 1981, prior to

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the certification of the LUP in 1985 (Brady LSA January 1999 p.35; City of Half Moon Bay 1993). The project is intended to restore a large portion of small-lot subdivisions and deteriorated natural conditions to meet Coastal Act and Coastal Conservancy objectives, and to generate revenue to acquire prime agricultural land in the City which would otherwise be developed (Sanger 1981). Although references to the Conservancy Plan or to the Wavecrest Restoration Project are throughout the LUP, the project as planned never materialized. The Project Plan, however, was adopted as part of the LCP (Exhibit 16).

South Wavecrest Redevelopment Area, 1994

The South Wavecrest Redevelopment Project proposed the division of the South Project Area into two lots for the construction of an 18-hole golf course on approximately 122 acres. The construction included tree removal, grading, and onsite mitigation and restoration for riparian and wetland disturbance. The project also included the extension of Miramontes Point Road, construction of a golf cart/pedestrian bridge, offers to dedicate vertical and lateral public access easements, and the reservation of a parking lot for public use by recording a deed restriction. The construction of public access improvements included a 15-car public parking lot off Miramontes Point Road, two portable toilets permanently located near the parking lot, vertical trails between the parking lot and the bluff, a lateral blufftop trail, three scenic overlooks, and a connecting stairway to the beach). The Coastal Commission approved the CDP with conditions in December, 1994.

North Wavecrest Redevelopment Plan, July 1995

In 1994, the Community Development Agency of the City of Half Moon Bay prepared a Redevelopment Plan for the Half Moon Bay North Wavecrest Redevelopment Project. The Redevelopment Plan addressed the 480-acre north project area, and proposed the development of up to 750 housing units; an 18-hole golf course and driving range; a 10-acre RV park; a 35-acre community park; an 8-12-acre school site; and various visitor-serving commercial uses.

The Redevelopment Plan was adopted by the City Redevelopment Agency and the City Council in July 1995, subject to voter referendum. The voters rejected the Redevelopment Plan in November 1995.

In March 1994, the Redevelopment Agency had entered into an agreement (the First Amended and Restated Agreement for Advance Funds) with the North Wavecrest major property owners. The funding agreement included an agreement that if a Redevelopment Plan was not adopted by December 31, 1995, the Agency would work with the owners to replan their property to permit its development, consistent with the LCP. The Agency would further allow the owners to use data, reports, and studies undertaken in connection with the Redevelopment Plan to process development approvals on the property. The City joined in the agreement via a Cooperation Agreement. The project was not adopted.

Wavecrest Village Specific Plan, 1996

In June, 1996, Concar Enterprises, Inc. and North Wavecrest Partners, L.P. submitted an application to the City of Half Moon Bay for a Specific Plan Planned Unit Development Coastal Development Permit (CDP-11-96). The 1996 Specific Plan proposed the following on 178.3

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acres: 345 medium-density residential units; visitor-serving commercial uses including retail, cabins or campsites, a recreational vehicle park, and landscaped areas. The Planning Commission took no action on this Plan, but gave the applicants and City staff further direction to continue working on issues of concern. A Wavecrest Subcommittee was formed to work with the applicants, and based on its recommendations, the City requested that the proposed Specific Plan be revised to better reflect the City's objectives for the property (City of Half Moon Bay Planning Department April 1999). In response, the applicants prepared a revised Specific Plan. The July, 2000 version of the Wavecrest Village Specific Plan is a revision of the 1996 Specific Plan.

A Draft EIR for the Wavecrest Village Specific Plan circulated for public review in February and March of 1999. The Final EIR with responses to comments was released in June 1999. The City Council recertified the Final EIR on July 6, 1999.

On July 1, 1999, the Planning Commission approved the following nine CDPs, subject to the City Council's approval of the Planned Unit Development and CDP for the Wavecrest Village Specific Plan:

1. certification of a Final Environmental Impact Report and approval of a Planned Unit Development and CDP for the Wavecrest Village Specific Plan;
2. approval of a CDP and Use Permit for the North Residential Neighborhood;
3. CDP and Use Permit for the South Residential Neighborhood (Market Rate Units);
4. CDP and Use Permit for the South Residential Neighborhood (Below-Market Rate Units);
5. CDP and Use Permit for Community Open Space;
6. CDP, Use Permit, and Site Design Permit for Middle School;
7. CDP, Use Permit, and Site Design Permit for Boys and Girls Club;
8. CDP and Use Permit for Community Park and Ball Fields; Phase 1-A, 1-B, and 1-C Vesting Tentative Maps and Coastal Development Permit; and
9. Development Agreement and Development Phasing Plan for the entire Wavecrest Village Specific Plan area.

On July 6, 1999, the City Council approved the CDPs listed above and signed Resolution C-56-99, the Wavecrest Village Specific Plan Planned Unit Development Permit and Coastal Development Permit, in which the City Council ratified and adopted the findings and decisions of the Planning Commission as set forth in Resolutions P-(22-28)-99. Four parties appealed to the Coastal Commission the City's approvals of the CDPs related to this project.

3.4 Project Description

Exhibit 4 shows the proposed project under consideration by the Commission for a coastal development permit:

- Creation of 90 parcels from the existing 217 parcels in the applicants' legal interest¹;

¹ The applicants' agent states that the merging of lots in the Redondo View antiquated subdivision to create Parcel C does not affect the City's transportation access easement to the privately-owned parcels in the subdivision that are not considered part the project.

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- Construction of three public streets: Main Street extension, Street C, and Wavecrest Road with 264 parking spaces;
- Construction of six private streets: Street D, Street H, Street I, Street J, Street K, and Street L;
- Construction of 79 market-rate single family homes in the northeast portion of the project area (Parcel K);
- Construction of 25.3-acre Middle School with sports fields and 101 parking spaces (Parcel G);
- Construction of 2.8-acre Boys and Girls Club with 56 parking spaces (Parcel E);
- Fee-simple dedication to the City of riparian area (Parcel B) and open space west of the ballfields (Parcel I);
- Public access easement dedication of community open space, including ballfields (Parcel F); open space east of the western boundary of the ballfields (Parcel I); Highway 1 buffer (Parcel L); and 1.1 acres in the proposed residential subdivision;
- Reconfiguration of 9.8-acre community ballfields (Parcel F);
- Construction of 13.8-acre detention pond;
- Creation of community garden;
- Installation of traffic improvements;
- Lateral extension of the Coastside Trail and other trails;
- Installation of utilities (storm drain, sanitary sewer, and water); and
- Associated landscaping.

A more detailed description of the project is contained in **Error! Reference source not found..**

3.5 Components Not Considered Under This CDP

All development not specifically proposed under this coastal development permit application in the project area is subject to future coastal development permit(s) separate from this application.

Five parcels in the Redondo View antiquated subdivision south of Wavecrest Road are under private ownership and are not included in the proposed project.

The proposed Wavecrest Village Planned Unit Development/Specific Plan is not under consideration for a coastal development permit. Because the Specific Plan proposes to incorporate new development standards into the certified LCP, it is considered an amendment to the LCP. The Commission requires, pursuant to Section 30514 of the Coastal Act, that no such amendment shall take effect until it has been certified by the Commission. Therefore, the Specific Plan must be certified by the Coastal Commission as an amendment to the LCP and cannot be approved under a coastal development permit. Thus, the Specific Plan carries no regulatory authority.

4.0 FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

4.1 Public Access

4.1.1 Issue Summary

The proposed development is located between the first public road and the sea and is directly adjacent to a publicly-owned sandy beach. The development, which includes a 79-lot residential subdivision, a 1,150 student middle school, a Boys and Girls Club, community ball fields, a community garden and road improvements, will place significant increased demands on public beach access in the project vicinity. Although informal beach paths to the beach are evident on the blufftop seaward of the project site, access to the beach is severely constrained in the project area due to the high, unstable bluffs.

Both the Coastal Act and the LCP require access to be provided to and along the shoreline as a condition of the development of the project site. In particular, Coastal Act Section 30212 requires that public access from the nearest public road to the shoreline and along the coast shall be provided in new development projects, and LUP Policy 9.3.6(g) requires that as a part of *any new development* in the Wavecrest PDD, vertical accessways shall be constructed to the beach from the bluff affording access to the beach near the end of designated beach access routes. The LCP further specifies that at least two vertical accessways shall be provided to the beach as a part of the development of the Wavecrest PDD with a possible third vertical beach access if feasible. In addition, Section 30252 of the Coastal Act states that new development shall assure that the recreational needs of new residents not overload nearby recreational access.

The applicants propose to dedicate and improve a system of public access easements to provide vertical access to top of the bluff at the northern boundary of the development and lateral access through the development site as a portion of the City's Coastside Trail. The applicant also proposes to provide an unspecified "fair share" contribution towards the future development of a vertical beach accessway with the additional funding to be provided through a future phase of development of the Wavecrest PDD.

However, as proposed, the project will not provide access improvements to and along the shoreline. Furthermore, it is not known if any future phase of development can occur at the Wavecrest PDD consistent with the certified LCP. Thus, there is no assurance that these requirements will ever be met at the site. Therefore, as proposed, the Commission finds the proposed development inconsistent with the public access policies of the Coastal Act and the LCP.

To make the project consistent with the LCP and Coastal Act policies requiring the provision of public access facilities, the Commission imposes Special Condition 5 requiring the applicant to either construct a vertical accessway to the beach at the end of Redondo Beach Road including a stairway and/or ramp to the beach and improvements to an existing parking lot and the end of Redondo Beach Road on publicly-owned land, or to provide to the City sufficient funds to complete these improvements. As conditioned, to fund or provide these access improvements, the Commission finds the development in conformity with the public access policies of the Coastal Act and the LCP.

4.1.2 LCP Standards

The 207.5-acre Wavecrest Village Project area is located between the first public road (Highway 1) and the ocean. Pursuant to Coastal Act Policy 30604, because the project is located between the first public road and the ocean, the project is subject to both the public access and recreation policies of the Coastal Act in addition to the City's certified LCP.

LUP/Coastal Act Policy 30210 requires posted public access and recreational opportunities to the maximum extent feasible, consistent with public safety, and the need to protect public and private property owner rights and natural resource areas from overuse.

LUP/Coastal Act Policy 30212 requires new development to provide public access from the nearest public roadway to the shoreline and along the coast unless inconsistent with public safety or the protection of fragile coastal resources, or where adequate access exists nearby.

LUP/Coastal Act Policy 30252 states that the locations and amount of new development should assure that the recreational needs of new residents will not overload nearby coastal recreation areas. This is accomplished by correlating the amount of development with the provision of on-site recreational facilities to serve the new development. The policy also states that new development should maintain and enhance public access to the coast by providing adequate parking facilities or the ability to circulate using public transportation.

LUP Policy 9.3.6(g) requires as part of any new development in the Wavecrest PDD, vertical accessways shall be constructed from the bluff to the beach near the end of designated beach access routes. A third accessway to the beach may be required approximately equidistant between the two primary access routes.

Policy 2-2 requires the setback of lateral trails at least 10 feet from the edge of the bluff and the establishment of native vegetation between the trail and the edge of the blufftop.

LUP Policy 2-16 requires the designation, signing, and improvement of the western extension of Higgins Canyon (Higgins Purissima) Road, Redondo Beach Road, and one additional beach access route as may be called for in the Conservancy Plan, as beach access routes.

LUP Policy 2-17 requires that no parking facility south of Kelly shall be designed for more than 50 cars.

LUP Policy 2-21 directs the State and County to construct paths or stairs to the beach from the extension of Main Street (Higgins Canyon Road) and to encourage new development in areas shown on the Access Improvements Map to construct paths or stairs to the beach.

LUP Policy 2-22 requires the connection of lateral blufftop trails with vertical trails to the beach at the end of Seymour Street, midway between Seymour Street and Redondo Beach Road (as determined by the Wavecrest Conservancy Project), and near the end of Redondo Beach Road. Policy 2-22 also requires the provision of a lateral blufftop trail to improve coastal access from Kelly Avenue to Miramontes Point Road.

LUP Policy 9.3.6(h) requires, as a part of any new development in the Wavecrest PDD, the improvement of the two designated beach access routes in the Wavecrest PDD, either along existing platted alignments or in accordance with new alignments designed to afford equivalent access opportunities.

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LUP Policy 9.3.6(k) states that new access to Highway 1 shall be limited, and one new access shall be located at the intersection of Highway 1 and Higgins-Purissima Road.

Policy 17.40.090 (Pedestrian Access to Coastal Resources) of the City Subdivision Code requires lateral easements specifically for subdivision applications along the shoreline.

Zoning Code Section 17.40.095, vehicular access to coastal resources shall be provided where indicated on the Access Improvements Map of the City Local Coastal Plan, the General Plan and any of its Elements, and any Specific Plan.

Zoning Code Section 18.40.030 requires new development to provide an offer to dedicate an easement for public access if the development is located between the nearest public road and the sea; if the LUP or LCP zoning districts has specifically identified the location for public access purposes; if the public has acquired the right of access through use or legislative authorization; or if the access is needed to mitigate the impacts of the development on public access. Exceptions to this code include, like Coastal Act Policy 30212, areas where public access is inconsistent with public safety or the protection of fragile coastal resources, or where adequate access exists nearby.

Zoning Code Section 18.40.040(B) states that a condition to require vertical public access as a condition of approval of a coastal development permit shall provide the public with the permanent right of access where designated by the LCP for future vertical access or where the local government has determined that vertical public access is needed. The code also requires the vertical access to extend from the road to the shoreline and have a minimum easement width of 10 feet, and limits its use to passive recreational use unless another use is specified.

Zoning Code Section 18.40.040(A), (C), and (D) provide minimum requirements for lateral, blufftop, and trail access.

Zoning Code Section 18.40.050 lists findings that need to be made for public access dedications proposed in projects or required as a condition of approval. These findings include a statement of the individual and cumulative burdens, the necessity for providing pub access, a description of the legitimate government interest furthered by an access condition, and an explanation of how a condition of access dedication alleviates identified access burdens and is reasonably related in nature and extent.

4.1.3 Discussion

Existing conditions

The public currently has access to a variety of informal trails and accessways throughout the project site and surrounding area. Wavecrest Road is currently the only existing street within the project area, allowing westward vehicle access from Highway 1. The partially paved road ends in an informal dirt parking area at the existing ballfields, about 2,000 feet from the bluff edge. This is the only parking area currently within the proposed project area. The parking lot serves the users of the baseball fields, the model airplane landing strip southwest of Smith Field (outside of the proposed project area), and the coastal trails in the vicinity. Formal parking for public access exists about 1,200 feet to the north at the end of Poplar Street and about one mile to the south at Miramontes Point Road. Informal parking exists 0.5 mile away at the end of the partially improved Redondo Beach Road.

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From within the Wavecrest PDD, the public can access a north-south trail at the western end of Wavecrest Road. To the south, the existing trail crosses an arroyo and leads to the unimproved portion of Redondo Beach Road. From this point, the public can walk about 1,900 feet west to an informal vertical access to the beach. To the north, the trail runs the length of the western edge of the existing ballfields and branches west and north. Immediately north of the project area, a 20-foot-long bridge was constructed over the drainage ditch on San Mateo County property. This bridge allows public access over the ditch and connects to informal trails to the Poplar Street vertical access and northward.

In the project area, the existing 2-foot-wide blufftop trails roughly parallel the bluffs and overlook the Pacific Ocean and provides views upcoast to Pillar Point and downcoast to Miramontes Point. Walkers, cyclists, and equestrians use the unpaved trails, which were formed by public use and are as close as five feet from the edge of the bluff.

The coastal bluffs in the project area are approximately 60 feet tall. Access from the blufftop to the City-owned beach below is difficult from this location due to the bluff height and steepness of the bluff face. In fact, geologic information identifies the bluff area between the Seymour Street right-of-way to the Main Street extension as a high risk hazard zone (Griggs and Savoy 1985). Blocks of the cliff face are actively falling onto the beach in this area (Lajoie and Mathieson).

Nonetheless, informal vertical access from the blufftop to the beach exists in the Wavecrest PDD. Southwest of Wavecrest Road, west of the model airplane landing strip and outside of the project area, is a trail sloping through the vegetated 35-foot-tall bluff face to the beach. Several hundred feet south of this access, other informal vertical accessways to the beach run along both sides of the large arroyo in the PDD.

The City maintains formal beach access from the bluff at the end of Poplar Street, approximately 1,000 feet north of the project area. The access consists of an unpaved gravel trail, about 10 feet wide, curving down the 40-foot-tall bluff to City-owned beach. To accommodate public parking for access to the blufftop trail and beach, this year the City constructed a 47-space paved parking lot, with additional provisions for RVs and horse trailers. The new lot is approximately 150 feet from the edge of the bluff. The previous informal parking area at this site was about 10 feet from the edge of the 40-foot-tall bluff. The beach is walkable as far south as the bluff south of Redondo Beach Road and as far north as the Half Moon Bay State Beaches on the north end of the City.

Another formal vertical public accessway exists at the end of Miramontes Point Road. A 15-space paved parking lot connects to a paved trail through the Half Moon Bay Links Golf Course for about 1,000 feet. The trail then reaches an overlook and stairway to the beach next to the outlet of Arroyo Canada Verde. The vertical access leads to a paved lateral blufftop trail running the length of the golf course property (approximately 3,500 feet). The 15-space parking lot, trail, and beach access stairway were built as part of the South Wavecrest Redevelopment Project, approved by the Commission in 1994.

Public access to informal trails down the bluff and along the blufftop exists at the end of Redondo Beach Road. Visitors use an informal dirt area for parking at the end of the road, approximately 15 feet from the edge of the 80-to-100-foot-tall bluff. The parking area

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accommodates up to 70 cars during peak visitation periods, although at any given time 10 to 25 cars may be parked there (Hernandez 2000).

Proposed project

The applicants propose to dedicate and improve a system of public access easements through the project area. Improvements to parking, access from Highway 1, and lateral trails are proposed to accommodate future visitation to the Wavecrest PDD.

As part of the project, the applicants propose to construct one new westward road extending from Highway 1 and Main Street. The proposed Main Street extension generally consists of two separated 800-foot-long, 14-foot-wide travel lanes, ending at the intersection of proposed Streets C and D. The proposed Main Street extension provides a Class III bicycle route. Class III bicycle routes lie within motor vehicle travel lanes, have neither pavement markings nor lane stripes, and are identified only by signs along the road. The proposed Main Street extension is consistent with LUP Policy 9.3.6(k), which requires the provision of new access in the Wavecrest PDD at the intersection of Highway 1 and Higgins-Purissima Road. (Higgins-Purissima Road meets Main Street at Highway 1.) No parking is proposed on the Main Street extension.

The applicants also propose to improve Wavecrest Road from a narrow partially-paved roadway to a two-way road with sidewalks on both sides of the road. As proposed, Wavecrest Road will have a 70-foot right-of-way, including two 14-foot-wide travel lanes with Class III bicycle routes. The proposed design provides parallel parking along both sides of the road from the intersection of Highway 1 to approximately the western boundary of the middle school parcel (Parcel G). The applicants estimate that 177 spaces will be created with the accommodation of parallel parking on Wavecrest Road. West of this point, the applicants propose 87 parking spaces configured perpendicularly to the road. Fifteen of these spaces at the end of Wavecrest Road will be designated for public access use with marking on the asphalt. The applicants are not proposing to lengthen Wavecrest Road. The proposed parking on Wavecrest Road is consistent with LUP/Coastal Act Policy 30212.5, which requires the distribution of parking areas throughout an area to mitigate against the impacts of overcrowding or overuse by the public of any single area.

The applicants propose to construct accessways to connect the development with lateral access on the top of the bluff. As proposed, the project will provide 5-foot-wide sidewalks on both sides of the 800-foot-long Main Street extension and on one side of the 2,600-foot-long Wavecrest Road. Sidewalks are also proposed at the Boys and Girls Club site, the ballfields, the 79-lot subdivision, and along Streets C and D. The applicants further propose a crosswalk at the intersection of Highway 1 and the Main Street extension for pedestrian access into the project area.

As part of this project, the applicants also propose to provide for the Coastside Trail in the project area, providing 720 feet of unpaved trail in the ballfields area and 2,680 feet of 15-foot-wide unpaved trail in the open space area of Parcel I (1,430 feet of the trail is along the blufftop). The Coastside Trail is proposed to be set back 100 feet from the bluff edge, consistent with LUP Policy 2-2 and Zoning Code Section 18.38.070, which require lateral trail setbacks of at least 10 feet from the edge of the bluff. An additional 2,730-foot-long, 5-foot-wide pedestrian-only trail

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is proposed as a “nature walk” around the perimeter of the 13.8-acre detention basin in Parcel I. A formal scenic overlook near the bluff is also proposed in the western portion of the project area. The proposed lateral access is consistent with LUP Policy 2-22, which requires the improvement of coastal access from Kelly Avenue to Miramontes Point Road. It is also consistent with Zoning Code Section 18.38.070 which requires an improved bluff edge trail between the Seymour Street right-of-way and Redondo Beach Road.

The applicants plan to dedicate all of the proposed public accessways (the public trails and sidewalks) as public access easements to the City of Half Moon Bay. The applicants propose the maintenance of the public accessways through the residential subdivisions by the subdivision’s homeowners’ association. All other accessways are proposed to be maintained by the City. The applicants further propose to dedicate permanent open space easements to the City for Parcel F (the community ballfields); Parcel I east of the eastern boundary of the proposed ballfields (the community garden and portion of the view corridor); 1.1 acres of neighborhood park in the 79-lot subdivision; Parcel L (west of the Highway 1 right-of-way); and the open space between the two one-way streets comprising the Main Street extension. Parcel B (the arroyo in the southern project area), and Parcel I west of the eastern boundary of the ballfields are proposed to be dedicated to the City in fee-simple. These dedications are consistent with Policy 2-2 of the LUP, which requires that new developments grant lateral easements for public access along the shoreline, as proposed by the Shoreline Trail alignment on the Access Improvement map. The dedications are also consistent with the requirement of Zoning Code Section 17.40.090 for subdivision development located along the shoreline to dedicate lateral easements. The proposed dedication is furthermore consistent with Zoning Code Section 18.40.030, which requires new development to provide an offer to dedicate a public access easement if the development is located between the first public road and the sea; if the LCP has identified the location for public access; and if access is needed to mitigate the impacts of development on public access. The proposed project meets all of these criteria and therefore must conform with Zoning Code Section 18.40.030.

The project does not include provisions for equestrian use of the project area, given that equestrian use occurs on the City-owned beach west of the project area and is infrequent on the blufftop trails trail south of Poplar Street (Jespersion 1999).

The applicants do not propose to construct a vertical accessway from the top of the bluff to the public shoreline in the project area. The project engineer cites potential safety hazards, increased erosion, and disruption of habitat values to justify why vertical access cannot be provided in the project area. Instead, the applicant proposes to pay an unspecified fair share to the City of the cost of designing and installing vertical access improvements constructed within the North Project Area of the Wavecrest Restoration Plan, specifically, the vertical access from Redondo Beach Road to the beach. The applicant defines the “fair share” contribution towards the future development of a vertical beach accessway as the ratio of the Wavecrest Village Project Phase 1-B residential subdivision acreage to the total acreage in the North Project Area of the Wavecrest Restoration Plan. The applicant further proposes to contribute the same amount as determined under this coastal development permit for the Redondo Beach Road access at the time the final subdivision map is approved for proposed Parcel J, subject to a subsequent coastal development permit.

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Issues

As proposed, the project provides:

- a subdivision of 79 parcels for 79 single-family residences;
- a Middle School with the capacity for 1,150 students;
- a Boys and Girls Club for after-school and weekend uses;
- over 26 acres of sports fields and courts for public use (including a track, football field, six ballfields, four volleyball courts, four tennis courts, and 12 basketball courts);
- a 6-acre public community garden;
- over 60 acres of open space for passive recreation;
- 264 public parking spaces;
- two improved access roads from Highway 1 into the PDD; and
- traffic improvements on Highway 1 at the Main Street extension and Wavecrest Road.

The development of Wavecrest Village Project will attract users to the area. The beauty and convenience of its location, on a scenic coastal bluff and along or close to the main corridors through the City (Highway 1 and Main Street), make it a desirable destination for local residents and tourists. As the proposed development formalizes and encourages outdoor activity, the development will draw more visitors than under current conditions. The development will also produce an increase in permanent regular users of the area resulting from the creation of the 79-parcel subdivision and the Middle School. The development will therefore intensify the use of the project area and the rest of the Wavecrest PDD. This significant increase in use impacts the ability of the project area to accommodate public access needs. Specifically, the demand for beach access generated by the proposed development will increase the use of informal vertical accessways in the Wavecrest PDD, adversely affecting coastal resources.

As stated above, the geologic conditions of the site constrain the applicants' ability to provide vertical access to the beach from the project area. The LUP addresses the instability of the bluff in the North Wavecrest PDD:

The area has experienced severe erosion and gulying at the bluff face due to cliff instability, water runoff, and uncontrolled use by off-road vehicles and hikers.

The existence of several informal beach access trails on and in the vicinity of the Wavecrest Village Project area, however, indicates that adequate formal access does not exist in the Wavecrest PDD for the current level of use. The informal trails are located on steep bluff faces 40 feet in height or taller. Continued use of these unplanned trails results in the destruction of coastal vegetation, such as the California wild strawberry, an LCP unique species found on bluffs in the Wavecrest PDD. Continued access to the beach using these trails also contributes to bluff erosion and presents a public safety hazard. The increased frequency of use of informal trails by an increased number of visitors, directly caused by the development of the Wavecrest PDD, will accelerate the deterioration of these trails. The inability to use the deteriorated trails will prompt the public to create new informal trails to the beach. Thus, the proposed development must provide formal vertical access to the shoreline consistent with public safety and the protection of fragile coastal resources, as required of new development under LUP/Coastal Act Policy 30212.

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The applicants do not propose to provide vertical public access from the blufftop to the beach. This is inconsistent with LCP policies requiring vertical public access. LUP Policy 9.3.6(g) requires as part of any new development, vertical accessways shall be constructed to the beach from the bluff near the end of designated beach routes in the Wavecrest PDD. The policy further states that a third accessway to the beach may be required approximately equidistant between the two primary access routes in the PDD. According to the Access Improvements Overlay Map and Wavecrest Restoration Plan in the LUP, the designated beach routes in the PDD are the extension of Main Street (veering northward and ending at the Seymour Street right-of-way) and Redondo Beach Road. As discussed above, the Main Street extension has geological constraints preventing the construction of a vertical accessway. Redondo Beach Road and its informal vertical access are under County jurisdiction. The third accessway described is outside of the project area in a location where the applicants do not have a legal interest to propose the vertical accessway. LUP Policy 2-22 and Zoning Code Section 18.38.070 reiterate the location of the vertical access points listed in 9.3.6(g) by requiring blufftop trails to connect with vertical trails to the beach specifically at the end of Seymour Street, midway between Seymour and Redondo Beach Road as determined by the Wavecrest Conservancy Project, and near the end of Redondo Beach Road.

The applicants propose to pay the proportionate share to the City of the cost of designing and installing vertical access constructed within the North Project Area of the Wavecrest Restoration Plan. The applicant further proposes to contribute the same amount as determined under this coastal development permit for the Redondo Beach Road access at the time the final subdivision map is approved for proposed Parcel J, subject to a subsequent coastal development permit. However, the applicant cannot guarantee that any future phase of development will occur at the Wavecrest PDD. Thus, there is no assurance that a vertical accessway will ever be met at the site. Because vertical public access must be constructed *before impacts to the site/increased visitation as a result of the proposed project begin*, the proposed funding of a future vertical accessway to the beach is inconsistent with LCP Policy 9.3.6(g), which requires new development in the Wavecrest PDD to construct vertical accessways from the bluff to the beach near the end of designated beach access routes. It is also inconsistent with LUP/Coastal Act Policy 30212, which requires new development to provide public access from the nearest public roadway to the shoreline and along the coast unless inconsistent with public safety or the protection of fragile coastal resources, or where adequate access exists nearby.

The applicants have limited opportunities to provide vertical public access from the blufftop to the beach in the Wavecrest PDD. Vertical public access at the end of the Seymour Street right-of-way and within other parts of the project area is not feasible, and the applicants do not have the legal interest to construct beach access in other portions of the North Wavecrest area. Therefore, the only feasible location for the applicant to provide vertical access to the beach within the PDD and in proximity to the proposed development is from the existing informal accessway at the end of Redondo Beach Road. The County owns the property and is amenable to the improvement of the road and vertical accessway.

Therefore, the Commission imposes Special Condition 5, which requires the applicant to construct a vertical accessway to the beach at the end of Redondo Beach Road on publicly-owned land. The condition further requires the applicants to improve to the existing parking lot

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at the end of Redondo Beach Road. Alternatively, the condition requires the applicant to provide sufficient funding to the City to complete the vertical accessway and road improvements.

Special Condition 5 requires that prior to issuance of the permit, the applicant must provide a beach access plan for the design and construction of a public beach accessway at the end of Redondo Beach Road. The plan must include a stairway, ramp or combination of stairs and ramps to the beach; public beach access signage at the intersection of Redondo Beach Road and Highway 1; improvement of the unpaved western portion of Redondo Beach Road including roadbed improvements, drainage, and resurfacing with either gravel or pavement; and paving and other improvements to the existing parking lot at the end of Redondo Beach Road to provide a minimum of 50 public access parking spaces. The plan will be subject to the review and approval of the Executive Director.

LUP Policy 9.3.6(h) requires, as a part of any new development in the Wavecrest PDD, the improvement of the two designated beach access routes in the Wavecrest PDD. Since the applicants propose new development in the Wavecrest PDD, and since the proposed development will increase public use and the impact on existing formal and informal public accessways in the PDD, the applicants are required to improve Redondo Beach Road. The improvement of Wavecrest Road, despite its provision of parking for public access purposes, does not provide parking associated with a vertical beach accessway. In order to enhance access to one of the designated vertical beach accessways, the staff recommends that the Commission condition the coastal development permit to include the improvement of Redondo Beach Road. The improvement of the road is consistent with LUP Policy 2-16, which requires the designation, signage, and improvement of Redondo Beach Road as a beach access route. The improvement of Redondo Beach Road is also consistent with Zoning Code Section 17.40.095, which requires vehicular access to coastal resources to be provided where indicated on the Access Improvements Map of the City Local Coastal Plan.

Although the applicants propose to dedicate and construct lateral public access trails in the Wavecrest PDD, the applicants must guarantee that these public access mechanisms will be in place before public access use is increased in the project area. In order for the proposed project to guarantee public access benefits and avoid adverse impacts to public access and other coastal resources in the project area and Wavecrest PDD, the Commission imposes special conditions for the dedication and construction of the Coastside Trail in a timely manner, prior to commencement of construction of any of the residences. Special Condition 8 requires the applicants to dedicate a 15-foot-wide public access easement for the Coastside Trail to the City of Half Moon Bay, as shown in the Project Description Public Access Plan. Special Condition 8 requires the trail to connect with the bridge across the County drainage channel, at the northern boundary of Parcel I; maintain a 100-foot setback from the edge of the top of bluff; and avoid location within wetland as delineated under the LCP. The condition requires the applicants to construct the Coastside Trail along the alignment proposed. The condition further allows the blufftop vista point to be located within the 100-foot bluff edge setback area.

As conditioned, the proposed project conforms with LUP Policy 2-16 which requires the signing of the proposed beach access routes. The project, as conditioned, also conforms with Zoning Code Section 18.38.070, which requires the posting of public access signage along lateral and vertical accessways.

4.1.4 Conclusion

LUP Section 2.2 states the need for careful consideration of the needs of the local community in light of increasing demands for coastal access and recreational opportunities by visiting populations. The LUP reinforces the importance of providing access and recreation opportunities in the City and distributing visitation along the coast to protect natural resources of the area.

Vertical public access improvements to the beach at Redondo Beach Road is necessary to prevent disturbance to vegetation on the bluff top and face. The formalized vertical access improvements will also curb uncontrolled access down the bluff face in the Wavecrest PDD, thereby reducing bluff erosion, decreasing the occurrence of hazardous conditions, and protecting the safety of the public in the Wavecrest PDD. In addition, the improvement of Redondo Beach Road and the creation of a formal parking lot will accommodate the increase in vehicular access to lateral and vertical accessways.

As conditioned, the project conforms with the LCP and Coastal Act policies for public access. Therefore, the Commission finds the development in conformity with the public access policies of the Coastal Act and the LCP.

As conditioned, the construction of these access features conforms with LUP Policy 2-21, which directs the State and County to encourage the construction of paths or stairs to the beach as shown on the Access Improvements Map.

4.2 Visual Resources

4.2.1 Issue summary

The proposed project is located in the North Wavecrest Planned Development District (PDD) in the southern portion of Half Moon Bay. Currently, the public has broad views of the coast from roughly 1,300 feet along Highway 1 in the Wavecrest Village Project area. The project area encompasses almost all of the North Wavecrest PDD adjacent to Highway 1, and is one of the few remaining undeveloped areas in the City seaward of Highway 1. The Surf Beach and Venice Beach PDDs are the only other undeveloped PDDs adjacent to Highway 1 that allow open westward views.

The LCP contains policies that require the protection of the City's visual resources. These policies specifically protect scenic corridors and require development located in the Wavecrest PDD to use flexible design concepts to protect the scenic quality and views of the coast.

The applicants propose to construct 79 single-family residences, a Middle School, and a Boys and Girls Club. The applicants also propose to dedicate 77.1 acres of open space for public use, including a view corridor along one of the project area's entry roads. As proposed, the configuration and design of the houses will significantly degrade the visual qualities of the site. The proposed heights of the houses and their proximity to Highway 1 impede views to the coast. Furthermore, the lots for the proposed 79-lot subdivision front almost 1,000 feet of Highway 1, diminishing the open space quality of the site. The proposed planting of trees around the residential subdivision additionally will screen the open space of the site from the public viewshed along Highway 1.

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The applicant proposes development of the 79-lot subdivision in the northeast portion of the project area in a manner that does not adequately protect public views from Highway 1 or employ the flexible design concepts required in the LCP to protect the visual resources of the site. However, the currently undeveloped site presents an opportunity to preserve much of the PDD's viewshed through the careful siting and design of the development. In order to bring the project in conformance with the LCP policies for the protection of visual resources, the Commission imposes conditions to ensure that development of the site will minimize impacts to the site's coastal resources. These conditions set specific heights of development, setbacks from the Highway 1 right of way, and require development to be clustered to the maximum extent feasible. As conditioned, the Commission finds the project in conformance with the LCP policies to protect visual resources.

4.2.2 LCP Standards

The LCP contains policies that require the protection of the City's visual resources. The LUP chapter on visual resources states:

Where development is appropriate, guidelines are required to protect the scenic quality of access routes to the beach, maintain the sense of openness characteristic of the City, preserve broad views of the ocean, and maintain a scenic corridor along Highway 1. The scenic quality of access routes to the beach should also be maintained and enhanced.

The City's LUP Policy 1-1 states:

The City shall adopt those policies of the Coastal Act (Coastal Act Sections 30210 through 30264) cited herein, as the guiding policies of the Land Use Plan.

Therefore, the City incorporates those specific Coastal Act policies as policies of the LCP.

Coastal Act Policy 30251 requires that the scenic and visual qualities of coastal areas be considered and protected as a resource of public importance. The policy requires development to be sited and designed to protect public views to and along the ocean and scenic coastal areas and be visually compatible with the character of surrounding areas.

Chapter 9 of the LCP states that the purpose of the Planned Development District designation is to ensure new development that is consistent with policies protecting coastal resources. Like Coastal Act Policy 30251, LUP Policy 9-9 acknowledges the importance and value of the scenic and visual qualities of coastal areas and requires the protection of this sensitive coastal resource. LUP Policy 9-9 requires development in Planned Development designated areas to use flexible design concepts such as unit clustering and multiple dwelling types to protect the scenic quality of the site.

LUP Policy 9.3.6(m), specific to the Wavecrest PDD, requires that development be clustered to the maximum extent feasible.

LUP Policy 9.3.6(n) requires maximum consideration to be given to preserving the cypress and eucalyptus hedgerows at the west end of the L.C. Smith property in the northwestern portion of the project area.

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Zoning Code Section 18.37.020 defines scenic corridors to include the Highway 1 corridor and scenic coastal access routes. The code also identifies Wavecrest Road as a secondary access route from Highway 1 to a minor parking facility for public access purposes.

Zoning Code Section 18.37.030 requires the protection and enhancement of public views within and from scenic corridors by requiring the design and siting of structures in the least publicly visible locations. The design and placement of structures must also be an appropriate distance from the Highway 1 right-of-way and scenic beach access routes, compatible with the environment, maintain natural features such as mature trees, and have low height above natural grade and/or not obstruct public views. Section 18.37.030 prohibits vegetation removal within roadway rights-of way, allows compatible landscaping in scenic corridors to enhance the visual quality of scenic corridors, and encourages the use of natural vegetation and low earth berms for screening, and permits clearing of vegetation to enhance the scenic quality of scenic corridors. The code also contains requirements for suitable landscaping and screening.

Zoning Code Section 18.37.050 list landscape design standards for developments. It requires existing trees to be preserved where possible and the use of compatible and adaptable landscape vegetation. The code also contains guidelines for tree planting.

4.2.3 Discussion

Scenic Qualities of Site

The coast and scenery of Half Moon Bay attract residents and visitors alike. The combination of open space, small-town amenities, and proximity to the highly urbanized San Francisco Bay Area are uniquely characteristic of San Mateo County coastal cities. The LCP seeks to preserve these qualities in the City by imposing policies to protect its scenic resources from the impacts of development.

The Wavecrest Village Project area is located about 1 mile south of downtown Half Moon Bay and about 1.5 miles north of the boundary between the City and an unincorporated portion of San Mateo County. Main Street runs roughly parallel to and east of Highway 1, beginning at the intersection of Highway 1 north of Highway 92. Main Street ends at the intersection of Highway 1 and Purisima Road, directly across the Highway from the project area. The applicants propose to extend Main Street approximately 800 feet westward into the project area.

The viewshed in the Wavecrest Village Project area includes broad westward views of the coast and horizon, coastal bluff terrace, and eucalyptus, Monterey cypress, and other notable tree stands. The project area gradually slopes over a distance of about 4,000 feet, from approximately 81 to 85 feet in elevation above mean sea level (MSL) near the Highway 1 right-of-way down to around 65 to 70 feet MSL at the top of the coastal bluffs. Approximately 2,100 linear feet of the project area abuts the Highway. It is one of the last undeveloped areas in Half Moon Bay providing westward open space views visible from Highway 1.

Summary of Proposed Development Affecting Coastal Views

The applicants propose the subdivision of 206.7 acres into 90 parcels as outlined on the Wavecrest Village Phase 1-A and 1-B Vesting Tentative Maps and to construct single-family residences on 79 of these lots in the northeast portion of the project area (Exhibits 4 and 5). The proposed subdivision of 79 lots is a standard subdivision plat. The lots range from 7,310 to

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16,236 square feet in area and cover 15.4 acres, with an additional 7.9 acres for roadways and landscaping buffers, for a total of 23.3 acres.

The project description shows three different house designs for the 79 single-family residences. Two of the designs are two-story houses with top-of-roof heights of 25.2 and 26.7 feet. The one-story house design has a top-of-roof height of 25.5 feet and an area of 2,200 square feet. Exhibit 17 shows the proposed residence plans.

The applicants also propose a 1,150-student capacity Middle School in the central 25.3 acres of the project area. The Middle School consists of eleven buildings, six of which are classroom buildings 13.3 feet in height and ranging from 5,280 to 11,808 square feet. The other buildings include a 780-square-foot, 13.3-foot tall food service building; a 6,160 square-foot, 19-foot tall library; a 3,035 square-foot, 20-foot tall classroom building; a 4,493 square-foot, 25.8-foot tall administration building; and a 22,940 square-foot, 40.5-foot tall multi-use building. The applicants propose to connect the buildings with 25,000 square feet of 20-foot tall covered exterior walkways. The proposed school includes 13.3 acres of outdoor running track, ball fields, and basketball, volleyball, and tennis courts, and 3.2 acres of paved play area to the west of the school, adjacent to the public ball fields. Two landscaped parking lots with a total of 101 spaces are proposed to serve the school, and landscaping and earthen berms are proposed to screen the school on its southern end.

A Boys and Girls Club is proposed on 2.8 acres in the project area, south of the proposed Middle School and immediately south of Wavecrest Road. The facility includes a 26,850 square-foot building with a roof height of 36 feet and two air vents at 42 feet. The building is 181 feet long from east to west and 150 feet wide from north to south. The proposed Club includes 56 vehicle parking spaces on approximately 19,900 square feet, bicycle parking on 450 square feet, and landscaping on 66,224 square feet of the proposed parcel.

Residential Subdivision

The scenic corridor standards contained in Zoning Code Section 18.37.030 require structures to be situated and designed to protect any views of the ocean and scenic coastal areas. More specifically, the policy requires the location of structures where they are least visible from the public view and set back an appropriate distance from the Highway 1 right-of-way.

Furthermore, the policy requires the design of structures to maintain a low height above natural grade to prevent the obstruction of public views and to be compatible with the environment to maintain the area's natural features such as mature trees and dominant vegetative communities.

The proposed 79-lot subdivision and 79 houses proposed for construction under this CDP would be located along approximately 1,000 feet of Highway 1 and would be visible from the Highway. The three proposed house designs range from 25.2 to 26.7 feet high above the site grade. The elevation of Highway 1, on average, is about seven feet above the closest parcels proposed for single-family residences. Thus, the roof of the closest proposed houses will be approximately 18 to 20 feet above the elevation of Highway 1. From a height of approximately 4 feet above the road elevation (the height at which the public will view the coast from a vehicle), the houses will be about 14 to 16 feet above the line of sight. Consequently, the proposed residences would obstruct views of the coast for a distance of about 1,000 feet along Highway 1. Zoning Code Section 18.37.030(B)(5) requires that structures be designed to maintain a low height above

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natural grade. Section 18.37.030(B)(5) allows for taller structures within the Highway 1 corridor only if the structures do not obstruct public views. As proposed, the single-family residences obstruct broad views of the coast and do not meet the low height standard of the LCP.

Forty-six of the 79 proposed parcels are located within the Highway 1 corridor (within 600 feet of the Highway 1 right-of-way). The closest are approximately 48 feet from the Highway 1 right-of-way. As proposed, the houses will be plainly visible from the Highway 1 corridor. Zoning Code Section 18.37.030(B)(4) requires development to be setback an appropriate distance from the Highway 1 right-of-way and from scenic beach access routes to protect coastal views. Lots 36 through 41 in Assessor Parcel Number 065-011-010, where the northern residential neighborhood is proposed, extend approximately 4,200 feet from the Highway to the blufftop. The LCP prohibits development within 1,000 feet of the bluff. Therefore, there is an approximately 3,200-foot wide area seaward of the Highway where the proposed residential subdivision could potentially be located. It is feasible to set the proposed development back from the Highway significantly further than proposed and outside of the 600-foot Highway 1 corridor. A greater setback distance from the Highway would substantially reduce the visual impacts of the proposed development. Since the proposed houses are not located far enough from the Highway 1 right-of-way to protect the broad coastal views of the project site from Highway 1, the proposed development is not consistent with Section 18.37.030(B)(4).

As proposed, the single-family residences are not situated or designed to protect views of the ocean and scenic coastal areas. The residences are designed at a height and set in a location that impacts the visual resources of the area. Given that the project area encompasses more than 200 acres, the residences can be located where they would not interfere with public views to the extent currently proposed. As proposed, the residences are inconsistent with Zoning Code Sections 18.37.030(B)(1) and 18.37.030(B)(2), which require the location and design of development to protect ocean and scenic views and be least visible from public view.

While the residences as proposed are not consistent with the scenic corridor standards of the Zoning Code, they can be resited and redesigned to conform with these zoning code standards. The large acreage of the project area allows flexibility in replanning the project to make it conform with the required zoning code provisions. Before any resiting and redesign of the proposed development can be done, however, it is necessary to establish (1) the height at which structures would maintain a low height above natural grade and (2) the appropriate distance from the Highway 1 right-of way to set back structures. These standards must be determined in order for the applicant to resite and redesign the development in conformance with 18.37.030(B).

The height of a structure is measured from the highest point of the building to the established grade directly below that highest point. Tables B and C in Chapter 18-06 of the Zoning Code show that the maximum height of a single-story building in Residential Zoning Districts elsewhere in Half Moon Bay is 16 feet. The maximum structure height in Open Space Zoning Districts is also 16 feet (Zoning Code Section 18.12.025(B)). Thus, consistent with the standards set in other portions of the Zoning Code, a height of 16 feet above the natural grade will maintain a low height above natural grade.

The easternmost parcels of the proposed 79-parcel subdivision are roughly 80 feet MSL. The lowest elevation of Highway 1 adjacent to the project area shown on the topographic base map is about 86 feet MSL. The project area's line of sight is the horizontal line set at a height at which

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the public is able to view the coast from Highway 1 in a vehicle. The approximate minimum height of the public's line of sight is four feet above the elevation of the road. Therefore, the line of sight is from a vehicle on Highway 1 is 90 feet MSL. However, a 16-foot tall structure located on one of the easternmost proposed parcels would obstruct views of the site from Highway 1 because the structure would still be six feet above the line of sight. As a result, even a structure with a height as low as 16 feet will not protect scenic views of the site if located too close to the Highway. In order for a 16-foot tall structure to protect scenic views, its tallest point must be lower than 90 feet MSL. With this requirement, a 16-foot tall structure would be at the line of sight if sited at or below the 74-foot contour. Therefore, the appropriate structure setback distance from the Highway 1 right-of-way is the 74-foot MSL contour as determined by the topographic base map underlying the vesting tentative maps (Exhibit 18). This setback can be accomplished while still maintaining a 100-foot buffer around the detention pond as required by Special Condition 14. The distance of the 74-foot contour from Highway 1 ranges from approximately 575 to 1,300 linear feet.

As established above, in order to prevent the obstruction of the public's line of sight from Highway 1 to the coast, the tallest portion of a structure must not exceed 90 feet MSL. Since the project area gradually slopes westward, the development of residential structures taller than 16 feet may be built on elevations lower than 74 feet.

Therefore, Special Condition 1 prohibits any residential development or any part of a residential development east of the 74-foot MSL contour line. Special Condition 1 also prohibits any residential development or any part of a residential development from projecting above the 90-foot MSL line of sight westward of Highway 1. As conditioned, the residential development conforms with the provisions of Zoning Code 18.37.030 which require the siting and design of structures along the Highway 1 corridor at the appropriate distance and a low height to protect the scenic quality of the site.

Clustered Development

While the establishment of residential development height limits and setbacks from Highway 1 protects the visual resources of the Wavecrest Village Project area, the combination of these standards with cluster development allows for the most effective protection of public views in developed areas. Proper siting and design of cluster development reduces impacts to visual resources and retains public views of scenic corridors.

LUP Policy 9-9 requires development in Planned Development Districts to use flexible design concepts for the protection of coastal resources. Flexible design concepts such as cluster development and dwelling type mixtures require that applicants carefully select development locations and configurations that most effectively protect and provide for coastal resources. This policy supports the comprehensive and orderly development of the North Wavecrest PDD and fulfills the goals of planned development intended by the LUP.

Cluster development is the grouping of structures to maximize common open space (Whyte 1964).

Whether called open space, village, community, cluster, or planned unit development zoning, the underlying principles are similar. The same number of homes that would be constructed under a conventional development plan (typically as single-family detached

units) are grouped more closely together on downsized houselots, with the remaining area of the parcel left as permanently preserved open space. This undeveloped land...is then either managed by a homeowner's association, deeded to the municipality or a land trust, or retained by the original owner who has surrendered all of the development rights...In all cases, the homeowners have traded a larger houselot for the assurance that the adjacent open land will never be developed for commercial, residential, or industrial purposes (Lacy 1990).

Cluster development requires careful planning to meet specific planned development goals. Community planners must first identify where opportunities for open space and sensitive habitat preservation and recreation exist on a site. Based on this knowledge, the planners design residential neighborhoods which concentrate development by positioning the houses close to each other on lots drawn to fit the site. If feasible, the developer can narrow local and collector streets and design shared driveways to allocate land for community open space uses. The residential lots in a cluster development are smaller than the conventional rectangular, high square-footage lots. While the small lot size appears initially as a drawback, there are advantages to cluster development for the developer and subsequent homeowners. Through the reduction of developed area, the developer saves the expense of building roads and installing infrastructure such as water and sewer lines (Arendt 1992). The developer can also promote the open space and nearby recreation area as amenities of the new neighborhood. Such attractions give houses in cluster developments higher initial selling prices compared to those in contemporary subdivisions (Arendt 1991). Housebuyers find well-planned cluster developments attractive because the “retired” open space guarantees that the neighborhood will not undergo further development. Associated increases in traffic are prevented, viewsheds are protected, and the area retains its original character. Furthermore, studies on cluster development show that single-family residences in cluster-style planned development have an appreciation rate greater than comparable residences located in conventionally-designed subdivisions (Lacy 1990, Arendt 1992).

While there would be neither a significant increase nor a decrease in the overall housing density of the project, the cluster development design would significantly modify the project as proposed. Applied to the proposed project, cluster development would result in reduced lot sizes and more closely situated houses, located where the development would most feasibly preserve broad coastal views and open space.

The proposed development must be consistent with the LCP policies requiring the use of flexible design concepts in Planned Development Districts. LUP Policy 9-9 requires the use of flexible design concepts to protect the scenic quality of the site. LUP Policy 9.3.6(m) requires that development in the Wavecrest PDD be clustered to the maximum extent feasible. As proposed, the 79 residential parcels are configured to allow houses evenly spread out along the side of the highway (Exhibit 7). Exhibit 19 shows how the houses, sited on the proposed lots, would be spaced in a way that would obstruct views of the coast from Highway 1. As proposed, the project does not incorporate the design concepts required to meet the objectives of the Planned Development District designation and is inconsistent with LUP Policies 9-9 and 9.3.6(m).

In order for the development to conform to the LUP policies for cluster development, Special Condition 2 requires that the applicant submit a plan, prior to permit issuance and for the review

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and approval of the Commission, that demonstrates that all development in the project area is clustered to protect all corridors that provide views to the coast from Highway 1. Special Condition 1 requires the reconfiguration of subdivision lots to cluster development to minimize the visual impacts. This is accomplished by specifying building envelopes designed to align the proposed residences in a manner that will preserve open view corridors through the developed areas.

Special Condition 2 also requires the applicant to offer to dedicate scenic easements over the scenic corridors identified in the Scenic Corridor Plan approved by the Commission. In this way, the clustered development plan will provide long-term protection of the site's visual resources.

As conditioned, the proposed project protects public views from Highway 1 to the coast. With the use of the cluster development design concept, the proposed development significantly reduces impacts to visual resources and conforms with the requirements of LUP Policies 9-9 and 9.3.6(m) to use flexible design concepts and cluster development to the maximum extent feasible.

Scenic Coastal Access Road

As discussed above, Main Street ends at Highway 1, east of the Wavecrest Village Project area. The applicants propose to extend Main Street approximately 800 feet seaward of Highway 1 and into the project area. The applicants propose to preserve a view corridor along the Main Street extension. The proposed corridor is 90 feet wide at the intersection of Highway 1 and the Main Street extension, broadening to about 200 feet at the western end of the proposed Main Street extension. The view corridor maintains visual access to the coast from Highway 1 and from the Main Street extension. As proposed, the Main Street extension, with the view corridor, conforms to LUP policies that require the protection of visual resources of the site.

Currently, the only vehicle access into the project area is along Wavecrest Road. Wavecrest Road is paved for most of its 2,600-foot length. It ends in an informal parking lot south of the public ball fields. At the intersection of Highway 1 and Wavecrest Road, open space is visible to the north on the portion of the project area that is not proposed for development under this CDP. From this vantage point, the public is able to view the coast and prominent tree stands across the project area to the northwestern portion of the project area. Immediately south of Wavecrest Road are a restaurant, residential development, and commercial greenhouse facilities. Existing stands of Monterey cypress to the north and Monterey pine to the south obscure the view to the coast from the intersection of Highway 1 and Wavecrest Road. The tree stands obscure the view to the coast. Several hundred feet westward, the view along Wavecrest Road opens up to broad coastal scenery.

The applicants propose to improve the road to provide access to the reconfigured ball fields, the proposed Middle School, and the proposed Boys and Girls Club. Section 18.37.020(A)(3) of the LCP designates Wavecrest Road as a secondary scenic coastal access route leading to minor parking facilities. (The applicants are not proposing public parking at the end of Wavecrest Road under this CDP.) Wavecrest Road is therefore subject to the scenic corridor standards of Zoning Code Section 18.37.030.

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In order for the project to conform with Section 18.37.030 as it pertains to scenic corridor standards for coastal access routes, structures along Wavecrest Road must be situated and designed to protect views of the ocean and scenic coastal areas and be least visible from public view. These structures must also maintain the environment's natural features such as major drainage, mature trees, and dominant vegetative communities, be set an appropriate distance away from Wavecrest Road, and be designed to maintain a low height above natural grade, unless a greater height would not obstruct public views. As proposed, the project might be considered inconsistent with Zoning Code Section 18.37.030, because the Middle School is not in a location that is least visible from public view and does not maintain a low height above natural grade. Additionally, the proposed Boys and Girls Club does not maintain the mature trees on the proposed parcel and is not set an appropriate distance back from Wavecrest Road.

The proposed Middle School is located on 25.3 acres in the central portion of the project area, approximately 1,000 feet west of Highway 1 (Exhibit 20). It is bounded by the proposed 79-unit residential subdivision and undeveloped open space to the north, undeveloped land to the east, the proposed Boys and Girls Club, open space, and tree stands to the south, and the proposed reconfigured public ball fields to the west. The applicants propose a public street (Street "C") running north-to-south immediately east of the school. The southernmost building of the proposed Middle School is approximately 350 feet from Wavecrest Road.

The proposed Middle School consists of eleven buildings of various heights and areas, arranged in a circular pattern in the northeastern portion of the proposed parcel. Basketball, volleyball, and tennis courts flank the southern portion of the parcel, and ball fields and a track take up the western portion of the parcel. One 22-space parking lot is proposed to be located at the northeast end of the parcel off of Street "C", and another 79-space parking lot is located at the southeast end of the parcel at the intersection of Street "C" and Wavecrest Road. The applicants propose to construct earthen berms and landscape the southern edge of the proposed parcel. The building complex, including 25,000 square feet of covered walkways, is approximately 2.5 acres in area. The outdoor area, including a paved recreation area, is about 16.5 acres. The parking lots, student drop-off area, and landscaping cover the remaining 6.3 acres.

The line of sight over the proposed middle school parcel is the elevation at which the public will view the site from a vehicle (4 feet above the lowest grade of the portion of Highway 1 east of the proposed parcel). At this location, the lowest point of Highway 1 is at 94 feet MSL. Therefore, the line of sight over this portion of the project area is 98 feet MSL.

On the proposed Middle School parcel, the ground elevations where buildings are proposed range from 74 to 80 feet MSL. Seven of the eleven buildings are proposed to be 13.3 feet in height. Since these buildings are below the public's line of sight from Highway 1, they will not obstruct public views to the coast. The proposed library building is 19 feet tall and sited on an elevation of 75 feet MSL. The roof height of the building is 94 feet MSL, 4 feet below the line of sight. The 20-foot-tall classroom building is proposed on an elevation of 74 feet MSL; its roof height is also 4 feet below the line of sight. Both the library and classroom therefore have proposed heights that do not interfere with views of the coast.

However, the proposed 25.8-foot-tall administration building extends into the public's line of sight from the Highway. The building is proposed on an elevation of 79 feet MSL. The height of its roof is at 104.8 feet MSL, 6.8 feet above the line of sight. The 40.5-foot-tall multi-use

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building is also above the line of sight. It is proposed on a base elevation of 80 feet MSL. Its roof is at 120.5 feet MSL. This is 22.5 feet above the line of sight. Additionally, those portions of the proposed 20-foot-tall covered exterior walkways sited on grades 78 feet tall or greater will extend at most two feet into the line of sight. These buildings are plainly visible, since no tree stands or other natural features shield the buildings from the Highway.

A middle school is a necessary use that provides a public service to the community. As such, a middle school requires appropriately-sized buildings to accommodate indoor gymnasiums and auditoriums. In addition, a school is often intended to be seen as a landmark, both to distinguish it from surrounding uses and to allow easy identification by students, parents, and emergency services. The administrative building in particular must be easily recognized. Therefore, given the purposes of the buildings, it is not feasible for all of the proposed buildings to stand below the line of sight.

By clustering the tallest buildings in the southern end of the proposed building complex, the proposed Middle School concentrates its impacts in only one portion of the parcel and is as close as feasible to existing development and tree stands. (Offsite greenhouses and Monterey pine trees exist south of the proposed buildings.) Although the proposed buildings are generally more visible from Wavecrest Road, the Commission finds that the protection of the public view from the Highway 1 scenic corridor is a priority over the protection of the public view from the less-used Wavecrest Road. Nonetheless, the proposed project provides a 350-foot setback from Wavecrest Road to the middle school buildings. The school's sports courts are located within the setback and do not impede views to the coast from Wavecrest Road. Thus, the proposed Middle School maintains coastal views along Wavecrest Road.

The proposed Boys and Girls Club is located on 2.8 acres in the central portion of the project area, 1,400 feet west of Highway 1 (Exhibit 21). Surrounding the proposed parcel are the existing Wavecrest Road and undeveloped land to the north, undeveloped land, Monterey pine tree stands, and commercial greenhouses to the east, and undeveloped land in the project area to the south and west. The proposed Boys and Girls Club building is about 0.6 acre in size and is located 75 feet from Wavecrest Road. The proposed site includes 56 vehicle parking spaces, walkways, and a drop-off area on less than an acre in the northern and western portions of the proposed parcel and landscaping over 1.6 acres of the proposed parcel.

The purpose of the Boys and Girls Club of the Coastsides is described in its mission statement:

The Boys and Girls Club of the Coastsides is a youth development organization dedicated to promoting the health, social, educational, vocational, and character development of the community's boys and girls. Programs and activities are designed to instill in children a sense of self-esteem, belonging, competence, usefulness and influence.

The proposed building is intended to house the non-profit Boys and Girls Club programs and services and, like the Middle School, provides a necessary service to the community. The proposed building includes a gymnasium, game area, and various offices and classrooms. As proposed, the one-story building increases from ten feet at the lowest point to 36 feet at the highest roof point. Two air vents on the roof are proposed for a maximum height above grade of 42 feet.

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The proposed Boys and Girls Club building is potentially visible at a distance from Highway 1. The proposed building is west of a stand of approximately 40-foot tall Monterey pine trees and north of a stand of 40 to 100-foot tall eucalyptus trees. These tree stands surrounding the proposed parcel screen views to the Boys and Girls Club building from Highway 1. In addition, several dozen greenhouses, approximately 12 and 20 feet tall, extend from Highway 1 to the proposed Boys and Girls Club parcel. The greenhouses, a restaurant, and residences abut Highway 1 and Wavecrest Road and obstruct views from the Highway to the coast in the direction of the proposed Boys and Girls Club building. Therefore, since existing trees and development screen the building from Highway 1, the proposed Boys and Girls Club building does not interfere with the public's view of the coast.

The proposed building is within the scenic corridor of Wavecrest Road, a scenic coastal access route. Zoning Code Section 18.37.030(B)(3) requires that structures be designed to be compatible with the environment in order to maintain natural features such as mature trees and dominant vegetative communities. The applicants propose the Boys and Girls Club building on portions of the parcel where bluegum eucalyptus, Monterey cypress, and black acacia tree stands currently exist. The applicants propose to provide a native/naturalized tree windbreak along the southerly and westerly property lines. It is unclear whether this proposed landscaping includes the retention of the existing mature trees on the proposed parcel.

In order for the Boys and Girls Club building to conform with the Zoning Code policy requiring structures to be compatible with the environment and maintain mature trees along scenic coastal access routes, Special Condition 3 requires that the proposed Boys and Girls Club parcel retain the existing tree stands to the maximum extent feasible. In particular, the eucalyptus trees in the northern portion of the parcel must be preserved to screen visual impacts to the scenic corridor caused by the Boys and Girls Club building. However, even with the retention of the existing eucalyptus trees, the building will still be visible from Wavecrest Road. The visibility of the building from Wavecrest Road is inconsistent with Zoning Code Section 18.37.030(B)(2), which requires structures within scenic corridors to be located where they are least visible from public view.

To address the visual impact of the proposed Boys and Girls Club building, Special Condition 4 also requires the planting of appropriate native vegetation on the site to reduce the visibility of the Boys and Girls Club building from Wavecrest Road. The condition requires the applicants to submit a landscaping and planting plan to the Executive Director for review and approval prior to the issuance of the permit. The planting of trees to screen the building will not impact coastal views, since the existing trees to be retained on the parcel are 40 feet and greater in height and already prevent southwestern views of the coast from Wavecrest Road. The proposed building is south of Wavecrest Road and does not interfere with coastal views to the west and northwest. Because the proposed buildings will not obstruct coastal and scenic views from Wavecrest Road, the building's 75-foot setback from the road conforms with 18.37.030(B)(4), which requires structures to be set at a distance to protect the scenic quality of the site. As conditioned, the proposed Boys and Girls Club building conforms with Zoning Code Sections 18.37.030(B)(2), 18.37.030(B)(3), and 18.37.030(B)(4), which require structures within scenic corridors to be compatible with the environment, least visible from public view, and set at a distance to protect public views.

4.2.4 Conclusion

The proposed project includes the creation of large residential lots divided uniformly over the northeast portion of the Planned Development District. The proposed lot configuration dictates the placement of the 79 proposed single-family residences on the site. As designed, the proposed houses are located at a distance to Highway 1 and adversely impact the scenic and open space quality of the site. The proposed subdivision and development of homes would reduce the 2,200-foot broad coastal view currently seen from Highway 1 by approximately 1,000 feet. Special Condition 1 imposes constraints on the location and height of the proposed residential development for the protection of scenic coastal areas viewed from Highway 1.

Because there are no apparent constraints that make the use of flexible design concepts on the site infeasible, the applicants have the ability to use cluster development and other flexible design concepts to preserve broad coastal views from scenic corridors. To accomplish the objectives intended by the Planned Development District designation, Special Condition 1 also requires the applicants to cluster development on the site, designate a scenic easement along scenic corridors, and limit development which adversely impact the scenic and open space qualities of the site.

As conditioned, the Commission finds that the proposed development protects the scenic quality of the Wavecrest Village PDD, consistent with LUP Policies 9-9 and 9.2.6(m), Zoning Code Section 18.37.030, and Coastal Act Policy 30251.

4.3 Environmentally Sensitive Habitat Areas

4.3.1 LCP Standards

Drainage Ditch / Detention Basin

Pursuant to LUP Policy 1-1, the City adopted Coastal Act Policies 30210 through 30264 as guiding policies of the Land Use Plan. Thus, these specific policies are considered as LUP policies and are referenced as LUP/Coastal Act policies. LUP/Coastal Act Policy 30231 requires that the biological productivity and quality of coastal waters, streams, wetlands, estuaries, and lakes must be maintained in order to maintain optimum populations of marine organisms and to protect human health. Where feasible, the biological productivity and quality of coastal waters shall be restored through, among other means, minimizing adverse effects of wastewater discharges and entrainment, controlling runoff, preventing depletion of groundwater supplies and substantial interference with surface water flow, encouraging wastewater reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

LUP/Coastal Act Policy 30233 limits the diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes to specific purposes where there is no feasible less environmentally damaging alternative and where feasible mitigation measures have been provided to minimize adverse environmental effects.

LUP/Coastal Act Policy 30240 protects environmentally sensitive habitat areas (ESHAs) from significant disruption of habitat values. The policy allows only resource-dependent uses in ESHAs. The policy also requires development adjacent to ESHAs to be sited and designed to be compatible with and prevent impacts to ESHAs.

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LUP Policy 3-1 defines sensitive habitats to include riparian areas, wetlands, sand dunes, marine habitats, sea cliffs, and habitats supporting rare, endangered, and unique species.

LUP Policy 3-3 prohibits any land use and/or development which would have significant adverse impacts on sensitive habitat areas, and states that development in areas adjacent to sensitive habitats shall be sited and designed to prevent impacts that could significantly degrade the environmentally sensitive habitats. Furthermore, all uses shall be compatible with the maintenance of biologic productivity of such areas.

LUP Policy 3-4 permits only resource-dependent or other uses which will not have a significant adverse impact on sensitive habitats and are consistent with US Fish and Wildlife and State Department of Fish and Game regulations.

Appendix A of the LUP defines wetland as an area where the water table is at, near, or above the land surface long enough to bring about the formation of hydric soils or to support the growth of plants which normally are found to grow in water or wet ground.

Zoning Code Section 18.02.040 defines wetland to be that definition of wetland as used and as may be periodically amended by the California Department of Fish and Game, the California Coastal Commission and the US Fish and Wildlife Service.

Zoning Code Section 18.8.010(J) states that the purpose and intent of the LCP's Coastal Resource Conservation Standards are to balance Coastal Act requirements for protection of fragile resources with requirements for the provision of shoreline access, acknowledging that the highest priority is given to environmentally sensitive habitat protection.

Zoning Code Section 18.38.020 defines coastal resource areas to include wetland. As defined in Appendix A of the LUP and by the US Fish and Wildlife Service, a wetland is an area where the water table is at, near, or above the land surface long enough to bring about the formation of hydric soils or to support the growth of plants which normally are found to grow in water or wet ground.

Central Area Wetland

LUP Policy 3-11 establishes buffer zones along lakes, ponds, and other wet areas to be a minimum of 100 feet from the high water point, and states that no buffer is required for man-made ponds and reservoirs used for agricultural purposes.

Zoning Code Section 18.38.080(D) (entitled "Wetlands buffer zone") states that the minimum buffer surrounding lakes, ponds, and marshes shall be 100 feet, measured from the high water point. No buffer is required for man-made ponds and reservoirs used for agriculture.

Zoning Code Section 18.38.080(H) requires that certain findings be made to allow development within wetland buffer zones. The project must demonstrate how the project is necessary for the proper design and function of permitted activity on the property; there are special circumstances or conditions affecting the property; the project is not detrimental to public welfare or other property; the project will not significantly reduce or adversely impact sensitive habitat, or that there is no feasible less damaging alternative; and the development maintains a 20-foot buffer from the edge of wetland if its only building site is within the wetland buffer zone.

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Former Agricultural Pond

See LUP Policies 3-1, 3-3, 3-4, and 3-11, and Zoning Code Section 18.38.080(H) above.

Sensitive Species

The LUP references the definition of “environmentally sensitive area” in Policy 30107.5 of the Coastal Act. An environmentally sensitive area is defined as any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

LUP Policy 3-33 allows limited uses in unique species habitat, such as education and research; hunting; fishing; pedestrian and equestrian trails with no adverse impact on unique species or its habitat; and fish and wildlife management to the degree specified by existing governmental regulations.

LUP Policy 9.3.6(n) states that development in the Wavecrest PDD shall give maximum consideration to preserving the cypress and eucalyptus hedgerows at the west end of the L.C. Smith property (The L.C. Smith property is the northern portion of the proposed project area).

Zoning Code Section 18.37.045 defines significant plant communities to include the cypress and eucalyptus stands in specific locations in the City such as the North Wavecrest PDD. Significant plant communities include riparian vegetation along stream banks and bodies of water, other native trees and notable tree stands in the City, and unique species such as Monterey pine and wild strawberry. The Zoning Code requires the preservation of these plant communities wherever possible, and includes preservation guidelines for notable tree stands or hedgerows, riparian vegetation, and wild strawberry. Zoning Code Section 18.37.045 also prohibits development from disturbing tree stands including their root systems, and from intruding upon riparian vegetation or the habitat of existing unique vegetative species. However, where there is no feasible alternative to development, permits for the removal and replacement of vegetation must be obtained by the applicant.

Zoning Code Section 18.38.090(A) defines unique species as those organisms which have scientific or historic value, few indigenous habitats, or characteristics that draw attention or are locally uncommon. The Zoning Code considers raptors (owls, hawks, eagles, and vultures), California red-legged frog, and sea mammals. The unique plant species in Half Moon Bay are California wild strawberry and Monterey pine.

Zoning Code Section 18.38.090(C) requires the prevention of development, trampling or other destructive activity that would destroy any unique plant species. Plants identified as being valuable shall be successfully transplanted to another suitable site.

Zoning Code Section 18.38.090(E) states that it is not desirable to encourage wholesale removal of existing stands of blue gum eucalyptus trees, but that removal of blue gum seedlings to prevent the spread of the species is encouraged. The code requires the City to discourage private landowners from planting blue gum eucalyptus on private property.

See also LUP Policies 3-1, and 3-3, and 3-4 above.

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4.3.2 Discussion

4.4 Wetland Fill

An approximately 4,600-foot-long unlined drainage ditch runs through the Wavecrest Village Project area (Exhibit 22). The drainage ditch runs westward on the north side of and parallel to Wavecrest Road for approximately 1,350 feet, then turns sharply to the north at a 90-degree angle and crosses 1,000 feet of the central portion of the project area. From this point, the ditch heads due west for 1,100 feet and makes another 90-degree angle turn, running due north for another 1,200 feet before leaving the project area. North of the project area, the drainage ditch runs west for 1,700 feet on property owned by San Mateo County. The runoff in the drainage then discharges off of the 50-foot bluff to the City-owned beach and to the Pacific Ocean.

The drainage ditch conveys stormwater runoff from the Highway and agricultural runoff from the northern of two commercial nurseries south of Wavecrest Road and irrigated fields inland of Highway 1 (Brian Kangas Foulk 2000, WRA 1998). At the intersection of Highway 1 and Wavecrest Road, runoff from the Highway and agricultural uses to the east discharge into the drainage ditch via a culvert under the Highway.

The drainage ditch supports a preponderance of hydrophytic plants and is wet throughout most or all of the year. The presence of wetland plants in the drainage ditch, in conjunction with the hydrology to support the growth of these plants, qualify the drainage ditch as wetlands under the Half Moon Bay LCP.

The drainage ditch runs through the center of the Middle School site and immediately adjacent to Wavecrest Road. In order to construct the school and to make the improvements to Wavecrest Road necessary to serve the school, the Boys and Girls Club and the ball fields, the applicants propose to fill the drainage ditch and divert the agricultural runoff into the stormwater drainage system proposed to be installed as a part of the development. The pipe will connect to the existing 36-inch culvert under Highway 1. As discussed in the ESHA Section of this report, the Stormwater system will discharge into a 13.8-acre detention basin in the northwestern portion of the project area. The project as proposed will therefore result in approximately 1.1 acres of wetland fill.

Coastal Act Section 30233, which is adopted as a policy of the City's LCP, prohibits filling of wetlands with limited exceptions. In addition, Zoning Code Section 18.38.080 enumerates the allowable uses in wetlands. The proposed filling of the drainage ditch for the Wavecrest development is not allowable under these policies and is therefore inconsistent with the City of Half Moon Bay LCP. Avoiding the proposed wetland fill would require the school either be eliminated from the project plans or to be re-sited inland, towards the Highway and away from the ball fields and the Boys and Girls Club.

The proposed Middle School would provide an essential public service needed to serve existing and proposed development within the City. The existing Middle School is severely overcrowded and cannot be expanded at its current location to adequately accommodate expected growth in the student population. In accordance with LUP Policy 9-2, adequate schools are among the public services specifically required to serve new development. In addition, the LCP states:

*The City's General Plan must provide for the social and economic needs of its residents. Those needs include housing, jobs, commercial services, **schools**, police protection, fire protection, health and social services, libraries, parks, playgrounds, athletic, recreational and cultural programs for its children, water, sewage disposal, refuse collection, other public utilities, streets, sidewalks, curbs, gutters, and storm water run-off and flood protection. [Emphasis added.]*

Thus, eliminating the school from the project plans would be inconsistent with the LCP Policies requiring that adequate public services are provided to serve new development and the social needs of the City's residents.

Relocating the school closer to the Highway would increase the visual impacts of the development inconsistent with the visual resource and scenic corridor policies of the LCP. As discussed in the Visual Resources Section of this report, the LCP contains policies requiring the protection of the scenic qualities and views of the coast and ocean afforded by the project site. Thus, the school cannot be re-sited consistent with the visual resource protection policies of the LCP.

Because the proposed Middle School can neither be re-sited nor eliminated in order to avoid filing the drainage ditch consistent with all other policies of the LCP, there is a conflict between LCP policies. Pursuant to LUP Policy 1-2, such conflicts between policies of the LCP must be resolved in the manner that on balance is most protective of coastal resources. In undertaking such an evaluation, the Commission may take into consideration benefits to coastal resources that would not be provided but for approval of the proposed development. The value of any such coastal resource benefits may then be compared against the corresponding impacts to coastal resources in determining how to resolve the policy conflict in the manner most resource protective.

Although the drainage ditch qualifies as a wetland under the LCP's definition, the habitat value of the ditch is severely limited. Analysis of aerial photography confirms that the project area was in agricultural use as early as 1948. The agricultural uses obscure any sign of the project area's natural drainage. However, it appears that prior to human disturbance, two drainages existed in the current Wavecrest PDD location (WRA 1998a). The boundary between the watersheds ran through the project area in a northwesterly line. Surface flow ran either to the arroyo in the southwestern portion of the PDD or to a drainage on the northern edge of the project area. The drainage ditch follows the perimeter of former agricultural fields on the project site and does not run along natural topographic low points. The ditch is generally linear in shape, constructed several feet below the surrounding surface, and does not exhibit features indicative of an established natural drainageway such as meanders. From the ditch's characteristics, it is evident that the ditch is an artificial feature, constructed in upland for the purpose of conveying runoff. The existing drainage ditch does not appear to be a remnant of these early natural drainages. Consultant surveys report that coast garter snake, a species that is not dependent on wetland habitat, was the only wildlife species observed in the drainage ditches in August 1998 (WRA 1998b). Thus, the approximately 1.1 acres of wetland fill required for the proposed project will not significantly affect coastal wetland resources.

The drainage ditch conveys a substantial volume of agricultural runoff and stormwater runoff from the highway containing pesticides, fertilizers, oil and grease, and other contaminants across

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the project site where it is discharged untreated over the bluff into the sea. This discharge contributes to the significant adverse cumulative impacts to coastal water quality resulting from polluted runoff. As discussed in the Water Quality Section, the applicants propose to treat this offsite agricultural and stormwater runoff along with the stormwater runoff generated on the development site through the creation of a 13.8-acre detention pond. In accordance with the project description and as further required pursuant to Special Conditions 12, 13, and 14, the stormwater system and detention pond will be designed monitored and maintained to improve the quality of the agricultural drainage and stormwater runoff that is currently discharged from the site to the ocean. Therefore, the project will provide substantial benefits to the quality of coastal waters. Only through the implementation of the polluted runoff treatment components of the proposed project will these water quality benefits be provided.

In addition to the water quality benefits that will be provided by the proposed development, the detention pond will provide wetland habitat. Pursuant to Special Condition 14, the detention pond will be designed and managed to provide emergent wetlands, riparian habitat, and associated upland habitat useful to California red-legged frogs, San Francisco garter snakes and wetland bird species. But for the creation of the detention pond, this wetland habitat would not be provided on the project site.

In addition to providing an essential public service through the development of the school, the proposed development will provide significant improvements to the quality of coastal waters and will create valuable new coastal wetland habitat. These substantial benefits will be provided in exchange for permitting the fill of 1.1 acres of low value wetlands occurring in an artificially created agricultural drainage ditch. If the proposed project is denied based on inconsistency with wetland policy requirements, the significant water quality benefits will not be derived. In addition, as discussed above, relocating the school closer to the Highway would increase the visual impacts of the development inconsistent with the visual resource and scenic corridor policies of the LCP. Therefore, in accordance with LUP Policy 1-2, the Commission finds that as conditioned approval of the fill associated with the proposed Middle School is more protective of coastal resources than re-siting the school or denying the development.

Approval of the wetland fill would only be most protective of coastal resources if the water quality benefits of the proposed project are maintained over time. Therefore, the Commission imposes Special Conditions 12, 13, and 14. As conditioned, the proposed project would, on balance, be most protective of coastal resources.

4.5 Undelineated Wetlands

The applicant's wetland consultant asserts that, "the determination of wetlands under California Coastal Commission procedures will require the presence of wetland hydrology *and* wetland plants *and* wetland soils."² However, the wetlands definition in the City of Half Moon Bay LCP requires only that an area is wet enough long enough to support the formation of hydric soils or the growth of plants that normally occur in water or wet soils. As a result of this discrepancy, the wetlands delineation provided by the project applicants does not map all of the wetlands defined under the LCP. Only 7 of the vegetation polygons were designated as wetlands by the applicant's consultant.

² Josselyn, M. 1998. North Wavecrest Jurisdictional Wetland Analysis. A report dated June 10, 1998.

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To resolve this discrepancy, staff requested that the applicant provide a map of the vegetation with sufficient information to determine whether there was a preponderance of hydrophytic vegetation in the polygons defining the location of the various vegetation types that are present at the site. For each vegetation polygon, the City's wetlands consultant assessed whether the vegetation was made up predominantly of hydrophytes, using two different technical approaches.^{3,4} The Commission's staff ecologist used the more stringent method to identify areas of wetland vegetation, including only those areas with an occurrence of greater than 50 percent obligate or facultative wetland species. This resulted in 14 areas delineated as wetlands under the Coastal Act and LCP.

In the southern project area, the applicants propose to defer the identification of wetlands until future phases of development of the site. Without a complete mapping of all LCP wetlands located on the project site, the Commission cannot determine that the development as proposed is consistent with the wetland protection policies of the LCP. Therefore the Commission must impose conditions that ensure that the development will not adversely affect wetlands as required under the LCP. Each of these issues is discussed below.

Southern Project Area

The southern portion of the development site, south of Wavecrest Road contains wetlands that have not been delineated for purposes of this coastal development permit application. Because it is unclear at this time to what extent the wetlands that currently exist in this area are present solely due to past discharges of large volumes of water from commercial floriculture greenhouses immediately to the east of the site, the applicants have deferred both wetlands delineation and development to a future date. The applicants have taken measures to divert the discharged agricultural drainage from the greenhouses into drainage ditches and expect the extent of wetlands in this area to diminish in time. The applicants propose to provide a wetlands delineation at the time that development is proposed for this area. Thus, the current extent of wetlands in this area is unclear at this time.

Although no physical development is proposed for this southern project area as part of the current coastal development permit application, the applicants propose to merge existing and create new parcels. Specifically, the applicants propose to merge all but five of the existing 211 small lots in the Redondo Beach subdivision and to create three large parcels to be subdivided and developed in the future (Parcels A, C, and D), one private open space parcel (Parcel B), and a street right-of-way (Street A) (Exhibit 22).

Parcel B is proposed as a "Riparian Preserve." The applicants propose to dedicate Parcel B to the City in fee as open space. Special Condition 8 specifies that this open space dedication shall be completed prior to issuance of the coastal development permit. The proposed merger of the 206 small lots in the existing Redondo View Subdivision and the dedication of Parcel B will reduce the potential that future development will be required to be located within wetlands or

³ Huffman, T. 2000. Letter to B. King, City Manager of Half Moon Bay, dated July 18, 2000; subject, "Technical Review, Vegetation Study of Wavecrest Village, City of Half Moon Bay." (Exhibit 26)

⁴ Two methods of judging "preponderance" were used. In the first, the criterion for "predominance" was the occurrence of > 50% Obligate or Facultative Wet species, after disregarding all species that are known to occur as frequently in uplands and in lowlands. In the second, the same criterion was used, but all species were considered in determining percentages.

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wetland buffer areas in the southern portion of the project site. Thus, the lot merger and the conservation easement are consistent with the goals of the LCP wetlands protection policies. However, the proposed creation of future development Parcels A, C, and D and Street A is not consistent with the LCP.

Until such time that wetlands present on in the southern area of the project site are mapped in accordance with the LCP wetlands definition, it is impossible to determine where future development must be located in order to conform with the LCP wetland and wetland buffer policies. The Commission cannot determine at this time that development of any of the proposed Parcels A, C, or D or improvement of proposed Street A would not require wetland fill or development within the LCP 100-foot wetland buffer. Therefore, Special Condition 9.F, requires the applicants to revise the Vesting Tentative Tract Map so that proposed Parcels A, C, and D and Street A are one legal parcel. Special Condition 9.G further specifies that, prior to any future subdivision of this area, a wetlands delineation shall be prepared in accordance with the LCP wetlands definition that maps all existing wetlands at the time of the proposed subdivision. As conditioned, the Commission finds the proposed development will protect the undelineated wetlands located within the southern portion of the project site in accordance with the wetland protection requirements of the LCP.

Boys and Girls Club Site

The Boys and Girls Club site (Parcel E) is located in the northeast corner of this area. The applicants have demonstrated that no wetlands occur within the boundaries of Parcel E or within 100 feet to the north, east and west of the parcel. However, the southern boundary of Parcel E borders on the area with undelineated wetlands. The Boys and Girls Club building is proposed to be located within 100 feet of the southern boundary of the parcel. Because a wetlands delineation has not been submitted for the area lying directly south of the Boys and Girls Club site, the Commission cannot evaluate whether the proposed development will conform with the 100-foot wetland setback requirement specified under Zoning Code Section 18.38.080. Therefore, as proposed, the Commission cannot find the proposed development to be in conformance with the wetlands protection policies of the LCP. For this reason, Special Condition 9.E requires the applicants to demonstrate that development of the Boys and Girls Club site will not encroach within 100 feet of any currently existing wetlands. The condition specifies that this may be accomplished by either re-locating the development to greater than 100 feet from the southern boundary of Parcel E, or providing a delineation of any wetlands as defined under the LCP for the area within 100 feet south of the development. As conditioned, the Commission finds that the proposed Boys and Girls Club is consistent with the LCP wetland buffer requirement.

Northern Project Area

Data provided by the applicants indicates that not all areas on the project site that are wet enough long enough to support the growth of plants which normally are found to grow in water or wet ground are included within the applicants' wetland delineation. In accordance with the LCP, these areas should be mapped as wetlands and protected from potential impacts resulting from the proposed development. Based on the data provided by the applicants, the Commission staff biologist has prepared Exhibit 23 depicting the location of all wetlands on the site including those that the applicants did not map. In order to ensure that the proposed development does not

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adversely affect these wetland areas, Special Condition 9.A, prohibits development within 100 feet of any of the wetlands depicted in Exhibit 23. Special Condition 9.A further requires these wetlands to be protected by installing temporary construction fencing around the outside perimeter of the 100-foot wetland buffers and to record deed restrictions over these areas. As conditioned, the Commission finds the proposed development will protect wetlands located within the project site in accordance with the wetland protection requirements of the LCP.

Former Agricultural Pond

A former agricultural pond is located in the northern open space portion of the project area. Aerial photos show that the former agricultural pond was constructed between 1948 and 1958. Water was pumped from wells to the pond and used for irrigation of crops surrounding the pond (Brady/LSA 1999). Although the pond was originally created for agricultural purposes, this use has been discontinued, and the proposed development will not continue any agricultural use of the site.

Wetland delineation data provided by the applicants indicate that approximately 1.2 acres of the former agricultural pond support a preponderance of hydrophytic plants and is therefore considered wetland (Exhibit 24). Thus, despite the cessation of agricultural operations, the wetlands remain viable. Further, since the site no longer contains an agricultural pond, the existing wetland is not associated with an agricultural pond in active use. Therefore, the exemption provided in Coastal Act Section 13577(b)(2) does not apply to wetlands that currently exist independent of and disassociated from preexisting agricultural activities.

The applicants do not propose development on or within the former agricultural pond under this coastal development permit application. However, the proposed residential subdivision in Parcel K includes a north-south private street on the western edge of the subdivision that would encroach within 100 feet of the former agricultural pond in conflict with Zoning Code Section 18.38.080 (Street H) (Exhibit 1). Therefore, Special Condition 9.D specifies that no development shall occur within 100 feet of the pond. Special Condition 9 further requires the former agricultural pond to be protected consistent with the approved Wetlands Protection Plan. As conditioned, the Commission finds the proposed development will protect the former agricultural pond in accordance with the wetland protection requirements of the LCP.

Sensitive Species

The northwestern project area contains significant eucalyptus and cypress hedgerows that provide habitat for raptors and Monarch butterflies. No development is proposed in this area of the project site and the applicant proposes to dedicate fee title to this area to the City of Half Moon Bay for open space and conservation purposes. Special Condition 8.A, specifies that this dedication shall be finalized prior to issuance of the permit.

Construction of the proposed Boys and Girls Club would require the removal of a substantial number of trees south of Wavecrest Road, mainly blue gum eucalyptus. Although these trees have not been identified as providing either raptor or butterfly habitat, their removal is required to be avoided if feasible under the LCP. Specifically, Zoning Code Section 18.37.045 requires that development including parking lots, buildings, and utility lines not disturb tree stands including their root systems. However, the zoning code also states that where no feasible alternative exists, tree removal may be permitted. The applicants propose to mitigate for the

removal of these trees by planting a mixture of native trees along the borders of the Boys and Girls Club site to replace the non-native species proposed to be removed. Special Condition 3 requires the applicant to provide a tree removal plan for the executive director's review and approval prior to the issuance of the permit. This condition requires the removal of existing trees to be minimized and requires that trees that provide potential habitat are protected to the maximum extent feasible. Therefore, as conditioned, the Commission finds that the proposed tree removal for the development of the Boys and Girls Club is consistent with the City of Half Moon Bay LCP.

4.6 Water Quality

4.6.1 Issue Summary

The applicants propose to create impervious surfaces on a 23.3-acre, 79-parcel subdivision; a 25.3-acre middle school site; a 2.8-acre Boys and Girls Club site; and approximately 10 acres of associated streets and sidewalks. The development of houses, buildings, driveways, parking lots, streets, and sidewalks increases the amount of water that can no longer percolate into soil or land on vegetation. Uses associated with these developments, such as the irrigation of gardens, will also contribute to project-generated runoff. As a result, the project site will produce increased runoff that will require treatment. This treatment is necessary to comply with LCP standards protecting coastal water quality and human health.

As part of the development, the applicants propose to treat the urban runoff produced on the project site by installing a system of gutters and stormdrains. The runoff will discharge into a 13.8-acre detention pond in the western portion of the project area. The pond is designed to accommodate and treat the project area stormwater in addition to the urban and agricultural runoff entering the project area from offsite sources.

While the detention pond helps to improve water quality, it is necessary that the pond and all other mechanisms to treat runoff are in place before the proposed development is constructed. Furthermore, active maintenance and monitoring are needed to assure that water quality improvements continue to be effective for the life of the project. To ensure this, the Commission imposes Special Conditions 10 through 14.

Special Condition 10 requires the applicant to submit a final grading plan to the Executive Director, including the quantities of cut and fill of the development. Special Condition 11 requires the applicants to submit an erosion control plan to the Executive Director showing how the project will minimize and control erosion and limit the use of toxic substances. Special Conditions 12 and 13 require the applicant to submit a Stormwater Pollution Prevention Plan (SWPPP) and a water quality monitoring plan (WQMP) to the Executive Director demonstrating how the development will plan and follow up on water quality protection for the project area. Special Condition 14 requires the applicant to provide for the review and approval of the Executive Director a plan for the design, construction, maintenance, and monitoring of the proposed detention pond.

As conditioned, the proposed project conforms with the LUP/Coastal Act policies protecting water quality.

4.6.2 LCP Standards

The LCP contains policies to protect water quality in Half Moon Bay's Coastal Zone.

LUP/Coastal Act Policy 30231 requires that the biological productivity and quality of coastal waters, streams, wetlands, estuaries, and lakes be maintained to maintain optimum populations of marine organisms and to protect human health. Where feasible, the biological productivity and quality of coastal waters shall be restored through, among other means, minimizing adverse effects of wastewater discharges and entrainment, controlling runoff, preventing depletion of groundwater supplies and substantial interference with surface water flow, encouraging wastewater reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

LUP/Coastal Act Policy 30253 requires new development to assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area.

LUP Policy 4-9 requires flows from graded areas to be kept to a minimum and not exceed the rate of erosion and runoff from undeveloped land. The policy requires stormwater outfalls, gutters, and conduit discharge to be dissipated.

LUP Policy 9.3.6(l) requires the irrigation of open space with unclaimed water, as feasible, and the use of retention basins, grading, revegetation, and drainage improvements to prevent destabilizing effects on the coastal bluffs.

4.6.3 Discussion

Existing conditions

Currently, an approximately 4,600-foot-long unlined drainage ditch runs through the Wavecrest Village Project area. As described in the Environmentally Sensitive Habitat Area discussion above, the ditch carries stormwater and agricultural runoff from an area of approximately 270 acres. This area includes the project site, Highway 1, one of the commercial nurseries south of Wavecrest Road, and a 67-acre sub-basin in agricultural use east of Highway 1 (Foulk 2000, WRA 1998). Runoff in the drainage ditch runs west for 1,700 feet on San Mateo County property before discharging off of the 50-foot bluff to the City-owned beach into the Pacific Ocean below. Currently, this runoff flows untreated through the onsite ditch, into the County ditch north of the project area, and off the bluff onto the beach.

Proposed project

The applicants propose to treat agricultural and urban runoff by installing 36-inch pipes to replace the existing drainage ditch. Other drainage pipes and gutters will be installed to collect runoff over the developed project area. The pipes will connect to a 60-inch pipe which discharge will into a vegetated swale, then into a 13.8-acre detention pond in the northwestern portion of the project area (Exhibit 24).

The basin is designed to treat runoff produced from up to and including the 1.2-inch, 24-hour rainfall event, approximately equivalent to the 90th percentile, 24-hour rainfall event. The required storage volume for a 1.2-inch-per-day storm event (a conservative design rainfall) assuming that 45 percent of the rainfall enters the pond as runoff is approximately 12 acre-feet.

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The average release rate over the 24-hour period is about 6 cubic feet per second (Foulk, 2000). During low-flow conditions, runoff will percolate into the ground and discharge through an outlet pipe through a rock weir to the County's drainage ditch. Higher flows will discharge to the ditch through two 48-inch pipes. A 60-foot long grouted rock barrier will surround the pond's outlet structure. Very high flows (from the 100-year storm event) will exit via another outlet flow. As designed, the pond will maintain a water level consistent with the channel/wetlands area north of the proposed detention area.

Seven of the 13.8 acres are designed to be subject to frequent inundation; two acres are designed to be inundated only during major storm events. The remaining acreage in the basin is above the 100-year level or protected by berms. The average depth of the basin is proposed to be 3.5 feet, and the maximum depth is 4.1 feet. The proposed ponds will have 8:1 to 12:1 slopes to enhance safety and wildlife use. The berms around the pond supporting the 12-foot wide "nature walk" and maintenance path will have 5:1 to 10:1 slopes. The detention pond is proposed to be vegetated with native wetland plant species in the swale areas. The basin is approximately 425 feet from the edge of the bluff. As proposed, the vegetation around and in the basin will encourage the creation of wetland habitat and provide an amenity for passive recreation and public access.

Issues

Stormwater runoff from developed areas and roads contains pollutants associated with these uses (U.S. EPA, 1993). Nutrients originate from garden fertilizers and poor landscaping practices such as inappropriate plantings or overwatering. Sediment comes from land clearing, grading, construction, and natural processes. Motor fuel and exhaust, improper hazardous waste disposal or spills, consumer products, construction materials, and soil (naturally-occurring) contribute to heavy metals in runoff. Petroleum hydrocarbons come from uses associated with vehicle use such as fuel, oil, grease, exhaust, and brake-lining particles, in addition to accidental spills and improper dumping of vehicle products. Synthetic organic chemicals in urban runoff originate from household cleaners, paints, and pesticides and herbicides. This runoff also may have physical parameter changes in salinity, temperature, and dissolved oxygen stemming from land clearing and decaying organic matter.

Agricultural runoff contains pollutants from sources different from urban runoff. Soil leaching changes the salinity and temperature of agricultural runoff. Nutrients enter agricultural runoff through commercial fertilizers, crop residues, and irrigation water. Runoff also contains sediment from erosion (due to cultivation and other causes) and grading or filling; and synthetic organic chemicals from the application of pesticides, herbicides, fungicides, and fertilizers, atmospheric deposition, and improper storage and disposal.

As proposed, the detention pond will receive stormwater and agricultural runoff from outside of the project area. Without the treatment proposed by this project, the runoff from the Highway, agricultural land, and commercial nursery in the project vicinity will continue to discharge untreated onto the beach and into the ocean. Since there are no other proposals to treat this runoff, the project provides an opportunity to improve the quality of this water.

The detention basin as proposed is highly efficient in the removal of total suspended solids and moderately effective in the removal of metals, total phosphorus, nitrogen, and biological oxygen

demand. However, while the basin is appropriately-sized and is designed to provide much needed water quality treatment, the pond can employ other best management practices (BMPs) to further maximize its treatment capabilities. As proposed, the development does not attempt to reduce the sources of onsite runoff or treat runoff in the location it is produced. Furthermore, the proposed project does not describe the grading schedule or erosion control measures to be installed for use during and after project construction. The proposed project additionally does not include a monitoring or maintenance plan to assure the effectiveness of the proposed water quality treatment.

In order for the project to maximize water quality benefits and to ensure continued treatment of stormwater and agricultural runoff, the Commission imposes Special Conditions 10, 11, 12, 13, and 14 below. The Commission notes that consistent with Section 30412 of the Coastal Act, these conditions do not conflict with any determination by the Water Board because the Water Board has not acted on the proposed project.

Special Condition 10 requires the applicant to submit a final grading plan to the Executive Director prior to the issuance of the coastal development permit. The grading plan must include the quantities of cut and fill and the final design grades and locations for all building foundations, streets, public accessways, the detention pond, and drainage pipes, and the phasing of all grading activities during construction.

Special Condition 11 requires the applicants to submit an erosion control plan. The components of the plan are intended to minimize the potential sources of erosion within the project area, control the amount of runoff and sediment transport, and retain and treat pollutants onsite. Special Condition 11 also limits the use of toxic substances and the runoff of nutrients to surface waters. The erosion control plan shall be submitted for review and approval by the Executive Director prior to the issuance of the coastal development permit.

Additionally, Special Condition 11 requires the applicant to inspect and maintain the erosion control measures throughout the construction period. The applicant must submit inspection reports on the condition of the structural Best Management Practices (BMPs) required under this condition to the Executive Director at specified intervals. The condition holds the applicant responsible for compliance with the erosion control plan.

Special Condition 12 requires the applicant to submit a Stormwater Pollution Prevention Plan (SWPPP). The applicant must submit the SWPPP for the review and approval of the Executive Director prior to the issuance of the coastal development permit. The condition requires the approved development to maintain approximate pre-development levels of average runoff volumes and peak runoff rates and total suspended solids (TSS) so that the average annual TSS loadings are no greater than pre-development loadings. The condition requires the SWPPP to include BMPs which minimize the creation of impervious surfaces, treat and maintain roads and parking lots, and employ native and drought-tolerant landscaping. Special Condition 12 further requires the inspection and maintenance of the BMPs and the submittal of an annual inspection report for three years following the completion of construction by the property owner and/or homeowners' association.

Special Condition 13 requires the applicant to submit a water quality monitoring plan (WQMP) to the Executive Director for review and approval prior to the issuance of the coastal

development permit. The WQMP will evaluate the effectiveness of the SWPPP to protect the quality of surface and groundwater at the project site. The condition requires the WQMP to provide for sampling of the detention pond and other groundwater and surface water locations to measure levels of all identified potential pollutants including, but not necessarily limited to: heavy metals, pesticides, herbicides, suspended solids, nutrients, oil, and grease. Any measured pollutants which exceed the water quality standards in the WQMP must be remedied.

Special Condition 14 requires, prior to the issuance of the coastal development permit, that the applicant provide for the review and approval of the Executive Director a plan for the design, construction, maintenance, and monitoring of the proposed detention pond. The applicant must construct the detention pond during the first phase of development. The pond must treat all of the agricultural drainage conveyed through the development site as well as the runoff generated from up to and including the 1.2-inch, 24-hour rainfall event, as proposed. The detention pond must improve water quality of stormwater and agricultural runoff by removing fine sediments, phosphorous, and nitrogen. Under Special Condition 14, the applicants must provide for regular maintenance of the water quality treatment and habitat functions in the detention basin in perpetuity, and provide a permanent funding source for the long-term maintenance of the detention basin. Special Condition 14 also requires the detention pond to provide emergent wetlands, riparian habitat, and associated upland, and suitable habitat for California red-legged frog, San Francisco garter snake, and wetland bird species. This is further discussed in the environmentally sensitive habitat section above.

As conditioned, the proposed project conforms with the LCP policies requiring the maintenance of the biological productivity and quality of coastal waters, the assurance of site stability and development that neither creates nor contributes significantly to erosion, and the use of retention basins, grading, revegetation, and drainage improvements to prevent destabilization on the coastal bluffs.

4.6.4 Conclusion

The applicants propose to treat stormwater and agricultural runoff from on and offsite sources with a stormdrain conveyance system throughout the project area. The treatment of this runoff is proposed to take place in a 13.8-acre detention pond in the western portion of the project area. Currently, the site does not treat the stormwater or agricultural water conveyed in the existing drainage ditch on the project site. The runoff discharges onto the beach below the bluffs, carrying sediment, nutrients, heavy metals, and chemicals. These pollutants have the potential to impact environmentally sensitive habitat areas, the nearshore zone, and public health. Although the proposed detention pond improves water quality, the Commission requires the applicants to comply with Special Conditions 10, 11, 12, 13, and 14 to ensure that the project protects water quality to the maximum extent possible. As conditioned, the project is designed to reduce the amount of water and pollutants available to enter the stormdrain system. The required erosion control and grading plans prevent impacts to water quality during construction. The detention pond as conditioned provides water quality benefits for the life of the development. Conditions requiring regular maintenance and monitoring assure the highest level of agricultural runoff and stormwater treatment.

As conditioned to provide grading and stormwater pollution prevention plans, erosion control, a functional detention pond, and water quality monitoring, the project conforms with the LCP policies protecting water quality.

4.7 Regional Cumulative Traffic Impacts

4.7.1 Regional Transportation Setting

Road access to the Mid-Coast region of San Mateo County including the City of Half Moon Bay is limited to Highways 1 and 92. Studies show that the current volume of traffic on these highways exceeds their capacity and that even with substantial investment in transit and highway improvements, congestion will only get worse in the future (Cities of Pacifica and Half Moon Bay and County of San Mateo, 1998). As a result, the level of service on the highways at numerous bottleneck sections is currently and will in the future continue to be rated as LOS F (Dowling Associates, 1998; Caltrans, 1999). LOS F is defined as heavily congested flow with traffic demand exceeding capacity resulting in stopped traffic and long delays. This level of service rating system is used to describe the operation of both transportation corridors as well as specific intersections. LOS F conditions are currently experienced at certain intersections and at bottleneck sections of both highways during both the weekday PM peak-hour commuter period and during the weekend mid-day peak period (Wilson Engineering, 1998; Brady/LSA, 1999). The LCP contains policies that protect the public's ability to access the coast. The extreme traffic congestion on Highways 1 and 92 significantly interferes with the public's ability to access the area's substantial public beaches and other visitor serving coastal resources in conflict with these policies.

The key reasons for this problem are that capacity increases to the highways are constrained both legally and physically and because there is a significant imbalance between housing supply and jobs throughout the region (Cities of Pacifica and Half Moon Bay and County of San Mateo, 1998). Without any new subdivisions, there are approximately 2,500 existing undeveloped small lots within the City. Each of these lots could potentially be developed with at least one single-family residence. Even with the City's Measure A, 3-percent residential growth restriction in place, this buildout level could be reached by 2010. If the Measure D one percent growth restriction approved by Half Moon Bay voters in November 1999 is implemented through an amendment to the LCP (litigation challenging the measure is currently pending), the rate of buildout would be slowed, but neither of these growth rate restrictions change the ultimate buildout level allowed.

The Local Coastal Programs of Half Moon Bay and San Mateo County predict substantial future residential growth in both jurisdictions, thus contributing to additional congestion on the highways. For instance, the Half Moon Bay LCP predicts that additional housing units in Half Moon Bay will increase over the next twenty years by 100 percent or more (an increase of 4,495 or more units in comparison to the 3,496 units existing in 1992). According to regional predictions contained in the San Mateo County Countywide Transportation Plan Alternatives Report, even with maximum investment in the transportation system, traffic volumes on both highways are predicted to be far in excess of capacity, if residential and commercial development proceeds as projected.

The County's Congestion Management Plan (CMP) concludes that a major factor contributing to existing and future traffic congestion throughout the County is the imbalance between the job supply and housing (CCAG 1998). In most areas of the County, the problem is caused by a shortage of housing near the job centers, resulting in workers commuting long distances from outside the County. In these areas, the CMP recommends general plan and zoning changes designed to increase the housing supply near the job centers of the County. In the Mid-Coast area of the County however, the problem is reversed. In accordance with the projections contained in the CMP, buildout of the currently existing lots within the City of Half Moon Bay would exceed the needed housing supply for the area by approximately 2,200 units, contributing to significantly worse congestion on the area's highways. Simply put, the capacity of the regional transportation network cannot feasibly be increased to the level necessary to meet the demand created by the development currently allowable under the City and the County land use plans.

Up to 2,529 vacant residential lots already exist within the City of Half Moon Bay. Approval of the creation of additional residential lots through new subdivisions would only contribute to a long-term worsening of traffic congestion and a consequent limitation on the ability of the general public to reach area beaches and shoreline for priority visitor-serving and recreational purposes. Thus, any new subdivision that would result in an increase in buildable residential lots might be inconsistent with the City of Half Moon Bay LCP transportation policies.

4.7.2 LCP Standards

The City of Half Moon Bay LCP contains policies requiring adequate road capacity to serve new development and to minimize impacts of development to traffic on Highways 1 and 92.

LUP/Coastal Act Sections 30210, 30250 and 30252, which also require that development shall not interfere with the public's ability to access the coast and shall only be approved in areas with adequate public services.

LUP Policy 9-2 specifies that new development shall not be permitted unless it is found that the development will be served upon completion with road facilities.

LUP Policy 9-4 requires that development shall be served with adequate services and that lack of adequate services shall be grounds for denial of a development permit or reduction in the density otherwise allowed under the LUP.

Policy 10-4 states that the City shall reserve public works capacity for priority land uses including public access and recreation from consumption by other non-priority uses such as residential development.

LUP Policy 10-25 designates LOS C as the desired level of service on Highways 1 and 92 except during the weekday and weekend peak-hours when LOS E may be accepted.

4.7.3 Discussion

Project Impacts

The proposed development includes the creation of 79 new residential lots. Using the models from the Institute of Transportation Engineers publication Trip Generation, 6th Edition, it is calculated that 79 single-family dwellings will generate 88 trips at the weekday PM peak hour

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(Exhibit 25). In addition to the traffic generated by the proposed residential subdivision, the proposed Middle School, Boys and Girls Club, and ball fields will also contribute to local congestion on Highway 1 and, in particular, at the intersection of Highway 1 and Highway 92 intersection. Although these non-residential uses will generate primarily local traffic, this traffic will affect Highways 1 and 92 in existing bottleneck areas within the City, with some contribution to the regional congestion on these roads.

Access to the proposed development will be provided from Highway 1 through a new signalized intersection at the proposed Main Street extension and through the existing unsignalized intersection at Wavecrest Road. These streets are proposed to be connected by Street C within the development site (Exhibit 4). The extension into the Wavecrest Village Project area would extend the existing Main Street from its terminus on the east side of Highway 1 across the highway to the west. The applicants propose to install a traffic signal at the intersection of Main Street and Highway 1 with associated acceleration/deceleration lanes, turn lanes, and pedestrian/bicycle crossings. Access to the proposed Middle School and Boys and Girls Club will be provided via the existing Wavecrest Road (Exhibit 4). The applicants propose to widen and improve Wavecrest Road to provide two 14-foot-wide lanes, 9-foot-wide parallel parking lanes on either side of the road, 5-foot-wide sidewalks, landscaping, and utility corridors. Ingress and egress to and from the development at the Main Street extension and Wavecrest Road will interrupt traffic flow on Highway 1.

The proposed development will contribute to traffic congestion on Highways 1 and 92 with the potential to cause significant adverse impacts to both local and regional traffic circulation, potentially interfering with the public's ability to access the coast.

Project Mitigation

The applicants propose to offset this potential impact by merging 206 of the 214 existing small lots in the Redondo View Subdivision (Exhibit 6). Taking into consideration the proposed creation of 79 new residential lots, the lot merger will result in a net decrease of 127 residential lots within the project site. This substantial decrease in the number of existing residential lots is adequate to offset the traffic generated by the proposed development, thus avoiding the potential regional cumulative traffic impacts of a new subdivision in the San Mateo County Mid-Coast area.

In order to mitigate the impacts caused by the interruption of traffic flow at the Main Street extension and Wavecrest Road intersections at Highway 1, the applicants propose to contribute 5.5 percent of the actual cost of improvements planned by the City at the Highway 1 and Highway 92 intersection. The 5.5 percent contribution is based on the project's average contribution to peak-hour traffic volumes at the intersection. The Highway 1 and Highway 92 intersection is the primary Highway 1 bottleneck within the City limits. The proposed contribution towards improvement of this intersection is an appropriate mitigation measure to offset the Highway 1 traffic flow interruptions resulting from access to the proposed development. The proposed traffic light at the intersection of Highway 1 and the Main Street extension will also mitigate traffic impacts.

4.7.4 Conclusion

The net decrease in buildable lots that will result from the proposed development will reduce the potential increase in traffic congestion on area highways resulting from new residential development. This reduction in potential future growth is adequate to offset the impacts to regional traffic congestion that will result from the proposed development of the Wavecrest PDD. By contributing towards the cost of planned improvements to the Highway 1 and Highway 92 intersection, the applicants will mitigate traffic impacts on Highway 1 resulting from access to the development. Therefore, the Commission finds that the proposed development is consistent with the LCP policies requiring new development to be served by adequate road capacity and protecting adequate road capacity to ensure the public's ability to access the coast.

4.8 California Environmental Quality Act

Section 13096 of the Commission's administrative regulations requires Commission approval of CDP applications to be supported by a finding showing the application, as modified by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits approval of a proposed development if there are feasible alternatives or feasible mitigation measures available that would substantially lessen any significant impacts that the activity may have on the environment.

The proposed project has been conditioned in order to be found consistent with the access, visual, environmentally sensitive habitat area, water quality, and traffic policies of the certified LCP, and the access and recreation policies of the Coastal Act and to minimize all adverse environmental effects. As conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, can be found consistent with the requirements of the certified LCP and Coastal Act and to conform to CEQA.